At a General Assembly, begun and held in the City of Raleigh, on Monday, the 15th day of November, in the year of our Lord one thousand eight hundred and thirty, and in the fifty-fifth year of the Independence of the United States of America, it being the first session of this General Assembly: On which day, being that appointed by law for the meeting of the General Assembly, the following members of the Senate appeared, produced their credentials, were qualified agreeably to law, and took their seats, viz.

From Anson county, Clement Marshall, Esq.  From Iredell county, Pinkney Caldwell, Lenoir, William D. Mossely, 

Juke, John Ray, Lincoln, Daniel Hoke, 

Beaufort, Joseph B. Hinton, Macon, James W. Guinn, 

Berrie, George O. Askew, Martin, Joseph J. Williams, 

Bladen, D. Richard Speaker, Mecklenburg, Joseph Blackwood, 

Brunswick, William R. Hall, Montgomery, John Crump, 

Burroughs, James Gudger, Moore, Alexander M'Neil, 

Burke, David Newland, Nash, William W. Boddie, 

Cabin, Christopher Melchor, New Hanover, William B. Meares, 

Cammenden, Caleb Perkins, Northampton, Collem W. Barnes, 

Carveret, David W. Borden, Onslow, Edward Ward, 

Cassell, James Kerr, Orange, William Montgomery, 

Chatham, Joseph Ramsey, Pasquotank, Lemuel Jennings, 

Chowan, Perguimons, Henry Skinner, 

Columbus, Luke R. Simmons, Person, Robert Vanhook, 

Craven, Richard D. Spaught, Pitt, Marshall Dickinson, 

Cumberland, William Murchison, Randolph, Abraham Brewer, 

Curtinck, Jonathan J. Lindsay, Richmand, Tryam M'Parland, 

Daviston, Ransom Harris, Robeson, Shadrach Howell, 

Dugas, Stephen Miller, Rockingham, Robert Martin, 

Edgecomb, Louis D. Wilson, Rowan, David F. Caldwell, 

Franklin, William P. Williams, Rutherford, John M'Entire, 

Gates, William W. Cowper, Sampson, Edward C. Gaven, 

Graveside, Wm. M. Sneed, Stokes, John Hill, 

Greene, Wyatt Moyer, Surry, W. F. Dabou, 

Guilford, Tyrrell, John B. Beasley, 

Halifax, Isham Mathews, Wake, Charles L. Hinton, 

Haywood, William Welch, Warren, John H. Hawkins, 

Hertford, Jacob Hare, Washington, Samuel Davenport, 

Hyde, William Selby, Sen., Wayne, Gabriel Sherard, 

Johnston, Hilary Wilder, Wilkes, Edmund Jones, 

Jones, Riaden M. M'Daniel,
ceived a majority of votes. Whereupon, on motion of Mr. Sneed, another balloting took place immediately, and the same superintendents were appointed to conduct it.

Mr. Montgomery, from the committee appointed to conduct the balloting for Speaker, reported that David F. Caldwell, Esquire, the Senator from the county of Rowan, was duly elected; in which report the Senate concurred. Whereupon Mr. Caldwell was conducted to the Speaker’s chair by Mr. Mathews; from whence he made his acknowledgments to the Senate in an appropriate address.

On motion of Mr. Mathews, Samuel F. Patterson was appointed Principal Clerk of the Senate, and on motion of Mr. M'Daniel, William J. Cowan was appointed Clerk Assistant.

On motion of Mr. Vanhook, Thomas B. Wheeler was appointed Principal Doorkeeper of the Senate.

Mr. Hinton, of Wake, moved that Robert Ray be appointed Assistant Doorkeeper. On motion of Mr. Sneed, the name of Benjamin Jones was added to the nomination; on motion of Mr. Newland, the name of Green Hill; on motion of Mr. Ramsey, the name of Ezekiel Ellis; on motion of Mr. Montgomery, the name Tilman Chance; and on motion of Mr. Miller, the name of Andrew Nicholson were severally added to the nomination. An election by ballot thereupon took place, Messrs. Newland and Ramsey being appointed superintendents to conduct it.

Mr. Newland, from the committee appointed to conduct the balloting for Assistant Doorkeeper, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred. Whereupon, on motion of Mr. Mathews, the Senate proceeded immediately to another balloting for Assistant Doorkeeper; and on motion of Mr. Sneed, the name of Benjamin Jones was withdrawn from the nomination, Messrs. Newland and Ramsey being appointed superintendents to conduct the balloting.

Mr. Newland, from the committee appointed to conduct the balloting for Assistant Doorkeeper, reported that Robert Ray, having received a majority of the whole number of votes, is duly elected; in which report the Senate concurred.

On motion of Mr. M’Farland, ordered that a message be sent to the House of Commons, informing that House that the Senate is duly organized and ready to proceed on public business, having appointed David F. Caldwell, Esquire, Speaker; Samuel F. Patterson, Clerk; and Wm. J. Cowan, Clerk Assistant; and Thomas B. Wheeler and Robert Ray, Doorkeepers.

And the Senate then adjourned until to-morrow morning, 10 o’clock.

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TUESDAY, NOVEMBER 16, 1830.

Mr. Askew presented the following resolution, viz.

Resolved, That a committee of three persons be appointed by the Speaker, to examine into the expediency of altering or amending the rules of the last session of the Senate for the government of the Senate at the present session.

Which being read, and the question thereon, shall the said resolution be adopted? It was determined in the affirmative; and Messrs. Askew, Spaight, and Hinton, of Wake, were appointed to form said committee.

On motion of Mr. Wilson, ordered that the rules of the Senate of the last session of the Legislature be the rules of order and decorum for the
government of the Senate during the present session, until the adoption of the report of the committee appointed in pursuance of Mr. Askew's resolution on that subject.

Mr. Martin presented the following resolution, viz.

Resolved, That a message be sent to the House of Commons, proposing to raise a joint select committee to report rules for the government of the two Houses.

Which being read, on motion of Mr. Martin, it was ordered to lie on the table.

Mr. Mathews moved that the Senate do now proceed to the appointment of the standing committees, pursuant to the rules and orders of the Senate; and the question being taken thereon, it was determined in the affirmative.

Mr. Wilson moved that the Senate reconsider the vote just taken on the motion of Mr. Mathews; and the question being taken, will the Senate reconsider the said vote? it was determined in the affirmative. Whereupon Mr. Mathews withdrew his motion.

A message was received from the House of Commons, stating the due organization of that branch of the Legislature, having appointed Charles Fisher, of Salisbury, Speaker; Charles Manly, principal Clerk; Thos. G. Stone, Clerk Assistant; and John Lumsden, Door Keeper; and Richard Robards, assistant Door Keeper.

A message was also received from the House of Commons, proposing to appoint a joint select committee to wait upon his Excellency the Governor, and inform him of the due organization of the Legislature, and of its readiness to receive any communication he may think proper to make; and stating that Messrs. Wheeler and Moore are appointed to form the committee on the part of that House; which proposition was agreed to by the Senate, and a message was sent to the House of Commons, informing them thereof, and stating that Messrs. Jones and Williams, of Franklin, form the committee on the part of the Senate.

Received from the House of Commons a message, proposing that the two Houses proceed immediately to a balloting for three engrossing clerks, and stating that the following persons are in nomination for the appointment, viz. James Bruce, John W. Covington, Gabriel T. Moore, James A. Vaughn, Elisha B. Smith, Daniel Coleman, W. D. Dyer, James Burney, Nathaniel J. King, John B. Jasper, Thomas G. Whitaker, John J. Blackwood and Joseph Woods; which proposition was agreed to, and a message sent to the House of Commons, informing them thereof, and that the name of William A. Walker is added to the nomination; and stating that Messrs. M'Farland and Sherard are appointed superintendents of the balloting on the part of the Senate. Whereupon a message was received from the House of Commons, stating that Messrs. Smallwood and Webb are appointed to conduct the balloting on their part.

Mr. Jones, from the committee appointed to wait on his Excellency the Governor, reported that the committee were authorised to state that he would make a communication to the Legislature on to-morrow, at 12 o'clock.

Mr. Martin moved that the Senate now take up the resolution relative to the appointment of a joint select committee to prepare rules for the government of the two Houses of the Legislature; which motion was agreed to. Whereupon Mr. Martin asked leave to withdraw the said resolution, which was granted.

Mr. Martin then submitted the following resolution, viz:

Resolved, That the first section of the joint rules for both Houses be amended, by striking out the words (in the first line of said section) "perfect and."
Which being read, on motion of Mr. Hinton, of Wake, it was ordered to lie on the table until to-morrow.

Mr. M'Farland, from the committee appointed to conduct the balloting for three engrossing clerks, reported that Elisha B. Smith, having received a majority of the whole number of votes, is duly elected, and that no other person in nomination had a majority of votes; in which report the Senate concurred. Whereupon, on motion of Mr. Meares, a message was sent to the House of Commons, proposing to ballot again immediately for two engrossing clerks yet to be elected.

And then the Senate adjourned until to-morrow, 10 o'clock.

**Wednesday, November 17, 1830.**

On motion of Mr. Hawkins, ordered that a message be sent to the House of Commons, stating that the name of Mark H. Cooke is added to the nomination for engrossing clerks.

Received from the House of Commons a message, agreeing to ballot again immediately for two engrossing clerks, and stating that the name of James Bruce is withdrawn from the nomination, and that of Mark Cooke added; and stating further, that Messrs. Little and James Whitaker attend the Senate as superintendents of the balloting on the part of that House. Whereupon, a message was sent to the House of Commons, stating that Messrs. Moye and Melchor attend that House as superintendents of the balloting on the part of the Senate.

Mr. Askew, from the committee appointed to examine into the expediency of amending or altering the rules of the Senate, made a report thereon, recommending sundry alterations and amendments; and the report being read, together with the alterations and amendments proposed, on motion of Mr. Meares, they were ordered to lie on the table.

On motion of Mr. Martin, the Senate proceeded to take up the resolution relative to amending the first section of the joint rules, and the question being taken on the adoption thereof, it was decided in the affirmative; and the resolution was ordered to be engrossed and sent to the House of Commons.

Mr. Sherard presented the resignations of Thomas Horn and Arthur Barden, justices of the peace for the county of Wayne; which were read and accepted and sent to the House of Commons.

Mr. Newland presented the resignation of S. Coffey, a justice of the peace for the county of Burke; which was read and accepted and sent to the House of Commons.

On motion of Mr. Meares, the Senate proceeded to consider the report of the committee appointed to examine into the expediency of altering or amending the rules of the Senate; and the question being taken thereon, will the Senate concur in the said report? it was determined in the affirmative; and, on motion of Mr. Vanhook, ordered that the Rules of Order reported by the Committee, together with the Constitution of the United States and of this State, be printed, one copy for each member of the Senate.

Mr. Montgomery moved that the Senate do now proceed to the appointment of the standing committees, pursuant to the rules and orders of the Senate; and the question being taken thereon, it was decided in the affirmative. Whereupon a committee of Finance, on the part of the Senate,
was appointed, consisting of Messrs. Sneed, Blackwood, Hinton of Beaufort; Jones, Ward, Wilson, Askew and M'Farland.

A committee of Claims was appointed, consisting of Messrs. Martin, Vanhook, M'Entire, Sherard, Hall, Hawkins, Davenport and Howell.

A committee of Propositions and Grievances was appointed, consisting of Messrs. Williams of Martin, Simmons, Dickinson, Hoke, Ramsey, Hill, Beasley and Marchison.

A committee of Privileges and Elections was appointed, consisting of Messrs. Williams of Franklin, Miller, Montgomery, Cowper, Harris, Welch, Moe, and M'Neil.

A committee on the Judiciary was appointed, consisting of Messrs. Meares, Mathews, Marshall, Spaight, Newland, Dick, Skinner; and Hinton of Wake.

Mr. Melchor, from the committee appointed to superintend the balloting for two Engrossing Clerks, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred.

On motion of Mr. Marshall, ordered that a message be sent to the House of Commons, proposing to ballot again immediately for two Engrossing Clerks yet to be elected; and stating that the name of James A. Vaughn is withdrawn from the nomination.

Received from the House of Commons a message, agreeing to ballot again immediately for two Engrossing Clerks; and stating that Messrs. Hayley and Horton attend the Senate as superintendents of the balloting on the part of that House. Whereupon Messrs. Brower and Simmons were appointed to conduct the balloting on the part of the Senate, and the House of Commons were informed thereof by message.

Mr. Jones presented the resignation of Constantine Gray, a justice of the peace for the county of Wilkes; which was read and accepted, and sent to the House of Commons.

Mr. Simmons, from the committee appointed to conduct the balloting for two Engrossing Clerks, reported that John W. Covington, having received a majority of the whole number of votes, is duly elected, and that no other person in nomination had received a majority of votes; in which report the Senate concurred.

On motion of Mr. Brower, ordered that a message be sent to the House of Commons, proposing that another balloting be had immediately for one Engrossing Clerk yet to be elected.

The Speaker laid before the Senate the petition of James Harrison, of the county of Jones, accompanied with sundry documents, contesting the election of Risden M. M'Daniel, the sitting member of the Senate from that county. On motion of Mr. Spaight, ordered that the said petition, together with the accompanying documents, be referred to the committee on Privileges and Elections.

And then the Senate adjourned until to-morrow morning, 10 o'clock.

THURSDAY, NOVEMBER 18, 1830.

Received from the House of Commons a message, agreeing to ballot immediately for one Engrossing Clerk, and stating that the name of Nathaniel J. King is withdrawn from the nomination, and appointing Messrs. Stedman and Brooks as superintendents of the balloting on the part of that House. Whereupon Messrs. Skinner and Welch were appointed to conduct the balloting on the part of the Senate, and the House of Commons were informed thereof by message.

On motion of Mr. Jones, ordered that a committee be appointed, to be styled the committee on Military Affairs. Messrs. Jones, Hawkins, Ward, Sherard and Williams of Martin were appointed the said committee.
Received from the House of Commons a message from his Excellency the Governor, accompanied with a proposition from that House, that the message be printed, three copies for each member of the Legislature; which proposition was not agreed to, and the House of Commons were informed thereof by message.

On motion of Mr. Wilson, ordered that a message be sent to the House of Commons, proposing that one copy of the Governor's message be printed for each member of the Legislature.

Mr. McFarland presented the following resolution, viz.

Resolved, That so much of the Governor's message as relates to common schools and a system of gratuitous education, be referred to a select committee.

Which being read, on motion of Mr. Wilson, ordered that the said resolution be laid on the table.

Mr. Hinton, of Wake, presented the following resolutions, to wit:

1. Resolved, That so much of the Governor's message as relates to general education and primary schools, be referred to a select committee.

2. Resolved, That so much of the said message as relates to the University, be referred to a select committee.

3. Resolved, That so much of the said message as relates to Internal Improvement, be referred to a select committee.

4. Resolved, That so much of the said message as relates to re-opening a communication from the Albemarle Sound to the Ocean, be referred to a select committee.

5. Resolved, That so much of the said message as relates to the establishment of a Bank and the circulating medium of the State, be referred to a select committee.

6. Resolved, That so much of the said message as relates to the extending of our laws over the Cherokee Indians, be referred to a select committee.

7. Resolved, That so much of the said message as relates to the Tariff, be referred to a select committee.

8. Resolved, That so much of the said message as relates to free persons of color, and the circulating of certain pamphlets, be referred to the Judiciary committee.

9. Resolved, That so much of the said message as relates to the criminal law of the State, be referred to a select committee.

10. Resolved, That so much of the said message as relates to the act of Virginia, in relation to the Lake Drummond and Ogeechee Canal Company, be referred to the Judiciary committee.

11. Resolved, That so much of said message as relates to a system of exercise and instruction of field artillery, &c. be referred to a select committee, to be denominated the military committee.

The said resolutions being read, on motion of Mr. Spaight, they were ordered to be laid on the table.

Mr. Skinner, from the committee appointed to conduct the balloting for Engrossing Clerk, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred.

Mr. Martin presented the following resolution, viz.

Resolved, That a message be sent to the House of Commons, proposing to refer so much of the Governor's message as relates to the establishment of a Bank, to a joint select committee of both Houses.

Which being read, on motion of Mr. Martin, it was ordered to lie on the table.

On motion of Mr. Montgomery, ordered that a message be sent to the House of Commons, proposing to ballot again immediately for one Engrossing Clerk yet to be elected; and stating that the names of Mark H. Cooke and William A. Walker are withdrawn from the nomination. Whereupon a message was received from the House of Commons, agreeing to ballot as proposed by the Senate, and informing that the name of John B. Jasper is withdrawn from the nomination; and stating that Messrs. Clark and Love attend the Senate as superintendents of the balloting on the part of that House. Whereupon Messrs. Montgomery and Mathews were appointed to conduct the ballotting on the part of the Senate; and the House of Commons were informed thereof by message.
Mr. Williams, of Martin, presented a bill to alter the mode of compensation to members of the Senate and House of Commons; which was read, and, on motion of Mr. Hawkins, ordered to lie on the table until to-morrow.

Mr. Montgomery, from the committee appointed to conduct the balloting for one Engrossing Clerk, reported that no person in nomination had received a majority of votes; in which report the Senate concurred. On motion of Mr. Newland, ordered that a message be sent to the House of Commons proposing that another balloting be had immediately for one Engrossing Clerk yet to be elected.

Mr. M'Farland presented a bill to amend an act, passed in the year 1826, entitled an act to prohibit the trading with slaves, except in the manner therein prescribed; which was read the first time and passed.

Mr. Murchison presented the following resolution, to wit:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of so amending the existing law for the mortgaging of personal property, as to limit the equitable interest to the conditions of the contract, and report by bill or otherwise.

Which was read, and the question being taken on the adoption thereof, it was decided in the affirmative.

Mr. Caldwell, of Iredell, presented a bill to authorise and direct the Supreme Court to be holden in the several places therein directed; which was read the first time and passed, and, on motion of Mr. Wilson, ordered to be committed to a committee of the whole House, and be printed, one copy for each member.

Received from the House of Commons a message, agreeing to ballot again immediately for one Engrossing Clerk, and stating that the name of James Burney is withdrawn from the nomination; and informing that Messrs. Larkins and Orr attend the Senate as superintendents of the balloting on the part of that House. Whereupon Messrs. Davenport and Beasley were appointed to conduct the balloting on the part of the Senate, and the House of Commons were informed thereof by message.

Mr. Borden submitted the following resolution, to wit:

Resolved, That a message be sent to the House of Commons, proposing to raise a joint select committee on Internal Improvement, consisting of five members on the part of this House.

On motion of Mr. M'Farland, ordered that the said resolution be laid on the table.

Mr. Hinton, of Wake, presented a bill for the regulation of the patrol; which was read, and, on motion of Mr. Meares, ordered to lie on the table.

Mr. Hawkins presented the certificate of allowance of the County Court of Warren county, in favor of Elizabeth Harris, a pensioner of the State; which was read and ordered to be countersigned by the Speaker of the Senate, and sent to the House of Commons.

Received from the House of Commons the following resignations, to wit:

the resignation of E. Alexander, Lieutenant Colonel of the 69th regiment of the militia of this State; the resignation of Howell Harris, a justice of the peace for the county of Montgomery; the resignation of R. Freeman, a justice of the peace for the county of Chatham; the resignation of D. M'Kee, a justice of the peace for the county of Mecklenburg; the resignation of Bishop E. Dudley, a justice of the peace for the county of Craven; the resignation of William Burgess, a justice of the peace for the county of Surry; the resignation of Thomas Pemberton, a justice of the peace for the county of Montgomery; the resignation of Jonathan Coward, a justice of
the peace for the county of Haywood; the resignation of Nicholas Rose, a justice of the peace for the county of Johnston; the resignation of Andrew Headen, sen. a justice of the peace for the county of Chatham; the resignation of Thomas Lockhart, jr. a justice of the peace for the county of Johnston; the resignations of Wm. H. Lilley and L. R. Honeycutt, justices of the peace for the county of Montgomery; the resignation of Solomon Reed, major of the 65th regiment of the militia of this State; and the resignation of Henry Giles, colonel of the 63rd regiment of North Carolina militia, endorsed in that house "read and accepted;" and which were severally read and accepted by the Senate.

And then the Senate adjourned until to-morrow morning, 10 o'clock.

FRIDAY, NOVEMBER 19, 1850.

Mr. Crump presented the resignation of H. Belamoin, a justice of the peace for the county of Montgomery; which was read and accepted, and sent to the House of Commons.

Mr. Skinner presented to the Senate a volume containing reports of the Board of Managers of the Prison Discipline Society; which, he stated, he was requested to present to the State, in the name and on behalf of General Jonathan H. Jacocks, of Perquimans county; and, on motion of Mr. Skinner, ordered that the clerk of the Senate deposite the said volume in the Public Library of the State.

On motion of Mr. Wilson, the Senate proceeded to consider the several resolutions submitted on yesterday by Messrs. M'Farland, Martin, Borden and Hinton, of Wake, in relation to the reference of the several subjects embraced in the Governor's message; and the resolutions submitted by Messrs. M'Farland and Martin, being read, the question on the adoption thereof, was decided in the affirmative.

The resolution submitted by Mr. Borden in relation to raising a joint select committee on Internal Improvement, being read, Mr. Wilson moved to amend the said resolution by making it a select committee of the Senate, instead of a joint select committee; which amendment was agreed to, and the resolution as amended was adopted.

The resolutions submitted by Mr. Hinton, of Wake, being read, Mr. Wilson moved to strike out the first, third and fifth resolutions, which relate to the subjects of education, internal improvement and the banks; which amendment was agreed to. Mr. Askew moved further to amend the said resolutions, by striking out the whole of the second resolution, and inserting the following, to wit: "Resolved, that a message be sent to the House of Commons, proposing to raise a joint select committee, consisting of eight members from each branch of the Legislature, to take into consideration so much of the Governor's message as relates to the University of North Carolina;" and the question being taken on agreeing to the said amendment, it was decided in the affirmative. Mr. Meares moved further to amend the said resolutions, by striking out the whole of the eighth resolution, except the word "resolved," and inserting the following, viz. "that a message be sent to the House of Commons, proposing to raise a joint select committee on so much of the Governor's message as relates to persons of colour, and the circulation of certain incendiary publications, the committee to be composed of four persons on the part of the Senate;" and the question being taken on agreeing to the
said amendment, it was decided in the affirmative. Mr. Miller moved further to amend the said resolutions, by striking out the whole of the 9th resolution, except the word "resolved," and insert the following, to wit: "that so much of the Governor's message as relates to the criminal code, be referred to a joint select committee;" and the question being taken on agreeing to the said amendment, it was decided in the affirmative. Mr. Wilson moved further to amend the said resolutions, by striking out the whole of the eleventh resolution; which amendment was agreed to, and the question then recurring on the adoption of the resolutions as amended, it was determined in the affirmative.

Received from the House of Commons a message, transmitting the annual report of the Public Treasurer, with sundry accompanying documents, and accompanied with a proposition from that House that the report and documents be printed, one copy for each member of the Legislature; which proposition was agreed to, and the House of Commons were informed thereof by message.

Mr. Beasley, from the committee appointed to conduct the balloting for one Engrossing Clerk, reported that Daniel Coleman having received a majority of the whole number of votes, is duly elected; in which report the Senate concurred.

John M. Dick, the Senator from the county of Guilford, appeared, produced his credentials, was qualified and took his seat.

On motion of Mr. Montgomery, ordered that the joint rules for the government of the two Houses at the last session of the Legislature, be printed, one copy for each member of this Legislature.

On motion of Mr. Williams, of Franklin,

Resolved, That the Judiciary committee be instructed to inquire into the expediency of altering or amending the law of last session, as relates to the pay of sheriffs and clerks, and that they report by bill or otherwise.

Mr. Newland presented the petition of sundry citizens of the counties of Burke, Wilkes and Iredell, praying the passage of an act to authorize them to raise a troop of Cavalry in certain portions of the aforesaid counties. Mr. Newland also presented a bill to carry the prayer of the petitioners into effect, entitled "a bill concerning a troop of Cavalry in Burke, Wilkes and Iredell;" which was read the first time and passed. Ordered that the said bill, together with the petition accompanying the same, be referred to the committee on Military Affairs.

Mr. Hinton, of Beaufort, presented the petition of sundry inhabitants of the county of Beaufort, praying an appropriation from the State to aid them in improving the navigation of Pungo river. Mr. Hinton, of Beaufort, also presented a bill to carry the prayer of the petitioners into effect, entitled "a bill for the improvement of Pungo river;" which was read the first time and passed. Ordered that the said bill, together with the accompanying petition, be referred to the committee on Internal Improvement.

On motion of Mr. Williams, of Franklin,

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of modifying or altering the present system of the judiciary of this State, and that they report by bill or otherwise.

On motion of Mr. Boddie,

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of amending the several laws of this State regulating decents, so far as to prevent the half blood from sharing equally with the whole blood, and that they report by bill or otherwise.
Received from the House of Commons a message, stating that they recede from their proposition to print three copies of the Governor's message for each member, and agree to the proposition of the Senate to print one copy for each member.

The bill to amend an act, passed in the year 1826, entitled "an act to prohibit the trading with slaves except in the manner therein prescribed," was read the second time, and, on motion of Mr. Wilson, ordered to be laid upon the table.

On motion of Mr. Hawkins, ordered that the bill to alter the mode of compensation to members of the Senate and House of Commons, be printed; one copy for each member of the Senate.

Received from the House of Commons a message, stating that Messrs. Wyche, Mhoon, Stokes, Kendall, Gary, Smallwood, Larkins and Murphy compose the committee of Finance on the part of that House.

Mr. Newland presented a bill to amend a part of the fourth section of an act, passed in the year 1822, entitled an act to provide a revenue for the payment of the civil list and contingent charges of government; which was read the first time and passed, and, on motion of Mr. Newland, ordered to be referred to the committee on Finance.

A message was received from the House of Commons, stating that they have rejected the resolution adopted by the Senate, proposing an amendment to the first section of the joint rules of both Houses.

Received from the House of Commons the following resignations, to wit: the resignation of Martin Kebler, of the county of Burke; the resignation of Enos Shields, of the county of Macon; the resignation of Benjamin Newland and Wm. M'Entire, of the county of Burke, justices of the peace for their respective counties; the resignation of Nathan Archbell, major of the county of Beaufort; and the resignation of Thomas A. Allison, colonel commandant of the first regiment of Iredell county militia, endorsed in that House, "read and accepted;" and which were severally read and accepted by the Senate.

And the Senate then adjourned till to-morrow morning, 10 o'clock.

Saturday, November 20, 1830.

Mr. Williams, of Franklin, presented a bill to provide for the distribution of the estates of deceased insolvent persons; which was read the first time and passed, and, on motion of Mr. Williams, of Franklin, ordered to be referred to the committee on the Judiciary.

Mr. Boddie presented the following preamble and resolution, to wit:

Whereas, agreeable to the several acts of Assembly now in force in this State, regulating the mode of proceeding against the real estate of deceased debtors, heirs and devisees have the right of selling or conveying the real estate which may have been devised or descend to them from a deceased debtor, before the estate of such debtor is settled, or seque facies can be issued or served upon them, although the heirs or devisees may be insolvent, to the great injury of honest creditors: Therefore be it

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of so amending the above recited acts, as to prevent heirs or devisees from selling or conveying the real estate of a deceased debtor before such estate is settled, or within the time limited by law for the settlement of deceased person's estates; and that they report by bill or otherwise.

Mr. Cowper presented a bill to prevent the burning of court houses and other public buildings; which was read the first time and passed, and, on motion of Mr. Cowper, ordered to be referred to the committee on the Judiciary.
Mr. Simmons presented the petition of sundry inhabitants of the counties of Columbus and Bladen, praying the passage of an act to alter and establish a part of the dividing line between the aforesaid counties. Ordered that the said petition be referred to the committee on Propositions and Grievances.

On motion of Mr. Cowper,
Resolved, That the Judiciary committee be instructed to inquire into the expediency of altering and amending or entirely repealing the act of 1828, chapter 86, regarding administrators and executors, with leave to report by bill or otherwise.

Mr. Wilson presented a bill to establish Hickory Grove Academy, in the county of Edgecomb, and to incorporate the trustees thereof; which was read the first time and passed.

Mr. Gaven presented a bill to repeal part of an act, passed in the year 1828, respecting creeks and rivers in Sampson county; which was read the first time and passed.

Mr. Dick presented the resignation of Jesse McCuestin, colonel commandant of the 57th regiment of North Carolina militia; also the resignations of Nathan Bandey, John Gordon and Samuel Cable, justices of the peace for the county of Guilford; which were severally read and accepted, and sent to the House of Commons.

Mr. Caldwell, of Iredell, presented a bill to amend an act, passed in the year 1822, chapter 1st, entitled an act to provide for the payment of the civil list and contingent charges of government; which was read the first time and passed, and, on motion of Mr. Dickinson, ordered to be referred to the committee on Finance.

Mr. Martin gave notice to the Senate that on Tuesday next he should ask leave to introduce a bill to establish a bank on the funds of the State.

Mr. Hinton, of Beaufort, presented the following preamble and resolution, to wit:

In order to relieve the Superior Courts of a mass of business growing out of the multitude of prosecutions for trivial offences, leaving in some counties little or no time to said courts for hearing and determining matters of the deepest importance to the parties, on the law and equity dockets of said courts,

Resolved, That the Judiciary committee be instructed to inquire into the expediency of giving to the Courts of Pleas and Quarter Sessions exclusive original jurisdiction of all prosecutions for minor offences, and that they report by bill or otherwise.

Which was read, and the question being taken on the adoption thereof, it was decided in the affirmative.

Received from the House of Commons a message, proposing to refer so much of the Governor's message as relates to the subject of slaves, and the situation of free persons of colour, to a joint select committee; which proposition was agreed to by the Senate, and Messrs. Meares, Montgomery, Spaight, Dickinson and Wilson, were appointed to form the committee on the part of the Senate; and the House of Commons were informed thereof by message.

Received from the House of Commons a resolution, authorising and instructing the committee on Finance to burn such amount of the Treasury notes in the Treasurer's office as they may think unfit for circulation, and that they report such amount to the Legislature; which was endorsed in that House, "read and adopted;" and which was read and adopted by the Senate.

On motion of Mr. Wilson,
Resolved, That it be referred to the committee on the Militia and Public Arms the expediency of distributing a portion of the public arms among the several counties within this State, and that they report by bill or otherwise.
Received from the House of Commons a message, proposing to refer so much of the Governor's message as relates to the subject of Banks and the Tariff system, to a joint select committee; which, on motion of Mr. Wilson, was ordered to be laid upon the table.

On motion of Mr. Newland,

Received, That the Military committee be instructed to view the Arsenal, and report to the Legislature the situation of the arms therein deposited.

Received from the House of Commons the certificate of allowance of the County Court of Warren in favor of Elizabeth Harris, endorsed "read and ordered to be countersigned by the Speaker of the House of Commons and returned to the Senate."

The following members were appointed on the several select committees ordered on the Governor's message in pursuance of the several resolutions on that subject, and the amendments thereto, to wit:

On so much thereof as relates to the subject of education and a system of primary schools, Messrs. Sneed, M'Farland, Mosely, Marshall and Barnes.
On so much thereof as relates to the establishment of a Bank, Messrs. Martin, M'Entire, Meares, M'Neil and Wilson.
On so much thereof as relates to the University of the State, Messrs. Spaight, Askew, Hill, Jones, Ward, Kerr, M'Kay and Williams of Franklin.
On so much thereof as relates to opening a communication from Albemarle Sound to the Ocean, Messrs. Skinner, Mathews, Hare, Beasley and Perkins.
On so much thereof as relates to extending the laws of the State over the Cherokee Indians, Messrs. Meares, Guinn, Welch, Gudger and Newland.
On so much thereof as relates to the Tariff, Messrs. Hinton, of Wake, Hoke, Blackwood, Murchison and Moye.
On so much thereof as relates to Internal Improvement, Messrs. Hinton, of Beaufort, Borden, Boddie, Davenport and Hall.
On so much thereof as relates to free persons of color and the distribution of incendiary publications, Messrs. Meares, Montgomery, Spaight, Dickinson and Wilson.
On so much thereof as relates to the criminal law of the State, Messrs. Miller, Dick, M'Kay, Mosely and Crump.

Received from the House of Commons the resignation of W. S. Harris, a justice of the peace for the county of Rowan, endorsed in that House, "read and accepted;" and which was read and accepted by the Senate.

And the Senate then adjourned until Monday morning, 10 o'clock.

Monday, November 22, 1830.

Mr. Miller submitted the following resolution, to wit:

Resolved, That a suitable place be assigned by the Speaker within the walls of the Senate to stenographers to report the proceedings of the Senate.

Which being read, on motion of Mr. Martin, ordered that the said resolution be laid upon the table until to-morrow.

On motion of Mr. Boddie,

Resolved, That the Judiciary committee be instructed to inquire into the expediency of amending or explaining the first section of an act, passed at the last session of the General Assembly, entitled an act fixing the fees of clerks and sheriffs, so far as respects the fees paid by executors, administrators and guardians; and that they report by bill or otherwise.

Mr. Sherard presented a bill to repeal in part an act, passed in the year
1869, chapter 70, entitled an act requiring a majority of the acting justices of Wayne and Montgomery counties to be present in certain cases; which was read the first time and passed.

Mr. Guiin presented a bill to repeal a part of an act, passed in the year 1825, entitled an act concerning the public lands in the county of Haywood; which was read the first time and passed.

Mr. Dick presented a bill to amend an act, entitled an act to prevent vice and immorality, by declaring the offences therein contained to be the subject of indictment, passed in the year 1805; which was read the first time and passed.

Received from the House of Commons a message, agreeing to the proposition of the Senate to refer so much of the Governor's message as relates to the University to a joint select committee, and stating that Messrs. Byrne, O'Brien, McGehee, Spaight, Long, Phillips, Little and Edmonston, form the committee on the part of that House.

Received also a message from the House of Commons, stating that Messrs. Barringer, Thos. Hill, M'Afee, Wadsworth and Holder, form the committee on the part of that House on so much of the Governor's message as relates to the subject of slaves and the situation of free persons of color in this State.

A message was also received from the House of Commons, agreeing to the proposition of the Senate to refer so much of the Governor's message as relates to the establishment of a Bank, to a joint select committee, and stating that Messrs. Pearson, Sawyer, Webb, Mebane and J. A. Hill form the committee on the part of that House.

Received from the House of Commons a message, proposing that the two Houses proceed to ballot on Monday next for a Senator in the Congress of the United States; and the message being read, on motion of Mr. Newland, ordered that it be laid on the table.

On motion of Mr. Newland,

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of giving to a single justice of the peace jurisdiction in all cases of stolen property, where the amount does not exceed twenty dollars, and that they have leave to report by bill or otherwise.

Mr. Sherard presented the resignation of P. B. Rafford, Colonel Commandant of Wayne county militia; which was read and accepted and sent to the House of Commons.

Mr. Dick presented a bill to amend an act, entitled an act to amend an act, passed in the year 1741, entitled an act for the better observation and keeping the Lord's day, commonly called Sunday, and for the more effectual suppression of vice and immorality; which was read the first time and passed; and, on motion of Mr. Sneed, ordered to be referred to the committee on the Judiciary.

Mr. Murchison presented a bill to amend an act for the suppression of vice and immorality; which was read the first time and passed; and, on motion of Mr. Murchison, ordered to be referred to the committee on the Judiciary.

Mr. Williams, of Martin, moved that the Senate now proceed to consider the bill to alter the mode of compensation to members of the Senate and House of Commons; which motion was agreed to, and the said bill was thereupon read the first time and passed.

On motion of Mr. Wilson,

Resolved, That so much of the Governor's message as relates to resolutions adopted by the
Legislatures of Georgia and Connecticut, upon the subject of amendments proposed by the States of Louisiana and Missouri to the Constitution of the United States, be referred to a joint select committee.

Resolved further, That so much of the said message as relates to resolutions passed by the Legislatures of Pennsylvania and Delaware, on the subject of the present Tariff, be referred to the committee raised upon so much of said message as relates to that subject.

William Walton, the Senator from the county of Chowan, appeared, produced his credentials, was qualified and took his seat.

On motion of Mr. Hall,

Resolved, That the committee, to which is referred that part of the Governor’s message relative to the Tariff imposed by the Congress of the United States, be instructed to inquire into the expediency of drawing up a respectful petition, to be signed by the Speakers and members of both branches of this Legislature, and to be laid before the approaching Congress, praying a repeal or modification of said Tariff, so as to operate equally on the citizens of the Union.

The following bills, to wit: the bill to establish Hickory Grove Academy in the county of Edgecombe, and to incorporate the trustees thereof; and the bill to repeal in part an act passed in the year 1809, chapter 70, entitled an act requiring a majority of the acting justices of Wayne and Montgomery counties to be present in certain cases, were read the second and third times and passed, and ordered to be engrossed.

Received from the House of Commons the certificate of allowance of the County Court of Mecklenburg, in favor of Martha Thompson, a pensioner of the State, endorsed in that House “read and ordered to be countersigned by the Speaker of the House of Commons, and sent to the Senate;” which was read and ordered to be countersigned by the Speaker of the Senate, and returned to the House of Commons.

A message was sent to the House of Commons, stating that Messrs. Sneed, Williams of Martin and Ramsey, are appointed on the part of the Senate to form the joint standing committee on the Public Library, in pursuance of the joint rules.

And the Senate then adjourned until to-morrow morning, 10 o’clock.

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TUESDAY, NOVEMBER 23, 1830.

James J. M’Kay, the Senator from the county of Bladen, appeared, produced his credentials, was qualified and took his seat.

Mr. Meares, from the committee on the Judiciary, to whom was referred the bill to amend an act, entitled an act to amend an act, passed in the year 1741, entitled an act for the better observation and keeping the Lord’s day, (commonly called Sunday,) and for the more effectual suppression of vice and immorality, reported the same without amendment and recommended its passage into a law. Whereupon the said bill was read the second time, and on the question, shall the said bill pass? it was decided in the negative.

Mr. Meares, from the same committee, to whom was referred the resolution instructing them to inquire into the expediency of giving to the Courts of Pleas and Quarter Sessions exclusive original jurisdiction of all prosecutions for minor offences, made a report thereon unfavorable to the object of the resolution; in which report the Senate concurred; and the committee was discharged from the further consideration of the subject.

On motion of Mr. M’Farland,

Resolved, That the committee on Internal Improvement be instructed to inquire into the expediency of erecting a rail road from the town of Fayetteville to Campbellton; also as to the practicability of incorporating a company to erect said road; or shall it be made by the authority of the State; and that they have leave to report by bill or otherwise.

Mr. Gaven submitted the following resolution, to wit:

Resolved, That the committee on Military Affairs be instructed to inquire into the expedien-
Mr. Ward presented a bill to authorise an election to be held at Onslow county court house; which was read the first time and passed.

Mr. Simmons presented a bill to repeal a part of an act, passed in the year 1829, entitled an act to provide for the compensation of jurors of the counties of Beaufort, Onslow, Hyde, Anson, Columbus and Duplin; which was read the first time and passed.

Mr. Hare presented a bill to alter the time and mode of elections in the county of Hertford; which was read the first time and passed.

Received from the House of Commons a message, stating that Messrs. Branch, Bragg, Spaight, Winston and Henry, are appointed on the part of that House to form the joint select committee on so much of the Governor’s message as relates to the tariff.

Mr. Martin presented a bill to establish a bank on the funds of the State; which was read the first time and passed, and, on motion of Mr. Williams, of Franklin, ordered to be printed, one copy for each member of the Legislature.

The bill to authorise an election to be held at Onslow county court house; and the bill to alter the time and mode of elections in the county of Hertford, were read the second and third times and passed, and ordered to be engrossed.

The bill to repeal a part of an act, passed in the year 1829, entitled an act to provide for the compensation of jurors of the counties of Beaufort, Onslow, Hyde, Anson, Columbus and Duplin, was read the second time and passed, and, on motion of Mr. Simmons, ordered to lie on the table.

Received from the House of Commons a message, proposing to raise a joint select committee, to which shall be referred the grievances of the people of Hertford county, occasioned by the conflagration of their court house and clerks’ offices; and stating that Messrs. Wheeler, J. A. Hill, Mhoon, Stedman and Carter form the committee on the part of that House; which proposition was agreed to by the Senate, and Messrs. Hare, Meares, Barnes, Hinton of Beaufort and Askew were appointed to form said committee on the part of the Senate, and the House of Commons were informed thereof by message.

Mr. Cowper presented a bill to prevent the falling of timber in, or otherwise obstructing the run of Old Sarum creek, in Gates county; which was read the first, second and third times and passed, and ordered to be engrossed.

Mr. Askew presented the following preamble and resolution, to wit:

Whereas the Excellency the Governor, in his message, has recommended the discontinuance of the Board of Internal Improvement at present: Be it therefore

Resolved, That the committee on Internal Improvement be instructed to inquire into the expediency of the same; and that they report by bill or otherwise.

Which being read, the question on the adoption thereof was decided in the affirmative.

Mr. Murchison presented the following resolution, to wit:

Resolved, That the Secretary of State be directed to issue to Duncan Black, of the county of Moore, a grant for one hundred acres of land, on Lower Little river, by warrant No. 1043.
Which was read, and, on motion of Mr. Murchison, ordered to be referred to the committee on Claims.

The bill to repeal a part of an act, passed in the year 1829, entitled an act to provide for the compensation of jurors of the counties of Beaufort, Onslow, Hyde, Anson, Columbus and Duplin, was, on motion of Mr. Simmons, taken up and read the third time. Mr. Simmons moved to amend the said bill, by adding the following as an additional section, to wit: "And be it further enacted, that all monies that are now in the hands of the sheriff of said county, and all monies which may be due under the provisions of the above recited act, shall be paid over to the county trustee of said county and applied to county purposes;" which amendment was agreed to, and the bill, as amended, was read the third time and passed, and ordered to be engrossed.

The bill to repeal a part of an act, passed in the year 1823, entitled an act concerning the public lands in the county of Haywood, was read the second time and passed.

Received from the House of Commons the following resignations, to wit: the resignation of Angus M'Callum, of the county of Robeson; the resignation of Jesse Merrel, of the county of Randolph; the resignation of Jesse Williams, of the county of Greene; the resignation of Allen Couly, of the county of Burke, justices of the peace for their respective counties, endorsed in that House "read and accepted," and which were read and accepted by the Senate.

And then the Senate adjourned until to-morrow morning, 10 o'clock.

**JOURNAL OF THE SENATE:**

**Wednesday, November 24, 1830.**

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: A bill to repeal in part an act, passed in the year 1809, chapter 70, entitled an act requiring a majority of the acting justices of Wayne and Montgomery counties to be present in certain cases; a bill to establish Hickory Grove Academy, in the county of Edgecomb, and to incorporate the trustees thereof; a bill to repeal part of an act, passed in the year 1829, entitled an act to provide for the compensation of jurors of the counties of Beaufort, Onslow, Hyde, Anson, Columbus and Duplin; a bill to prevent the felling of timber in, or otherwise obstructing the run of Old Sarum creek, in Gates county; a bill to authorize an election to be held at Onslow county court house; and a bill to alter the time and mode of elections in the county of Hertford; in which they ask the concurrence of the House of Commons.

A message was sent to the House of Commons, proposing that so much of the Governor's message as relates to resolutions adopted by the Legislatures of Georgia and Connecticut, upon the subject of amendments proposed by the States of Louisiana and Missouri to the Constitution of the United States, be referred to a joint select committee in pursuance of Mr. Wilson's resolution on that subject; and stating that Messrs. Wilson, Vanhook, Melchor, Howell and Lindsay were appointed to form said committee on the part of the Senate.

Mr. Spaight presented a document relative to the contested election of the Senator from the county of Jones; which, on motion of Mr. Spaight, was ordered to be referred to the committee on Privileges and Elections.

Mr. Mosely presented the petition of David Scarborough and others,
praying to have the amount of a certain fine refunded to them, which they have paid to the State as the securities of James Eastwood, late sheriff of Greene county. On motion of Mr. Mosely, ordered that the said petition, together with the accompanying documents, be referred to the committee on Propositions and Grievances.

Mr. Newland presented a bill to repeal part of an act, passed in 1828, entitled an act to appoint commissioners on the road from Watauga, in Ashe county, to the head of John's river, in Burke county; which was read the first, second and third times and passed, and ordered to be engrossed.

The bill to repeal part of an act, passed in the year 1828, entitled an act concerning the public lands in the county of Haywood, was read the third time and passed, and ordered to be engrossed.

The Senate entered on the orders of the day, and proceeded to consider the bill to alter the mode of compensation to members of the Senate and House of Commons. Whereupon Mr. Martin moved that the Senate do now resolve itself into a committee of the Whole House upon the said bill; which motion was not agreed to; and the bill having been read the second time, Mr. McKay moved to amend it by striking out the words to and or in the twenty-second line of the second section; which amendment was agreed to; and, on motion of Mr. Spaight, ordered that the further consideration of the said bill be postponed until to-morrow.

The bill to repeal part of an act, passed in the year 1828, respecting creeks and rivers in Sampson county, was read the second and third times and passed, and ordered to be engrossed.

On motion of Mr. Hoke,

Resolved, That a message be sent to the House of Commons, proposing to raise a joint select committee to inquire if any and what amendments can be made in regard to the laws on the subject of roads.

Mr. M'Farland moved to reconsider the resolution submitted by him on yesterday, relative to the erection of a rail road from Fayetteville to Campbellton; and on the question, will the Senate reconsider the said resolution? it was decided in the affirmative. Whereupon Mr. M'Farland moved to amend the resolution, by striking out the words "to the town of Campbellton," and inserting the words "through Campbellton to the Cape Fear river;" which amendment was agreed to, and the resolution as amended was adopted.

Mr. M'Farland presented a bill to provide for the education of poor children in the State of North Carolina; which was read the first time and passed, and, on motion of Mr. M'Farland, ordered to be referred to the committee on Education.

A message was sent to the House of Commons, stating that Messrs. Hoke, McKay, Ray, Meares and Wilder are appointed on the part of the Senate to form the joint select committee on Mr. Hoke's resolution relative to roads.

And the Senate then adjourned until to-morrow, 10 o'clock.

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THURSDAY, NOVEMBER 25, 1830.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: A bill to repeal part of an act, passed in the year 1828, respecting creeks and rivers in Sampson county; a bill to repeal a part of an act, passed in the
year 1823, entitled an act concerning the public lands in the county of Haywood; and a bill to repeal part of an act, passed in 1828, entitled an act to appoint commissioners on the road from Watanga, in Ashe county, to the head of John's river, in Burke county; in which they ask the concurrence of the House of Commons.

On motion of Mr. Ward, ordered that a message be sent to the House of Commons, nominating Willie P. Mangum, of Orange, for the appointment of Senator in the Congress of the United States.

On motion of Mr. Newland, the Senate proceeded to consider the message of the House of Commons, proposing to ballot on Monday next for a Senator in the Congress of the United States; and the message being read, the question on agreeing to the proposition therein contained was decided in the affirmative, and the House of Commons was informed thereof by message.

On motion of Mr. Jones, the name of Montfort Stokes, of Wilkes, was added to the nomination for the appointment of Senator in the Congress of the United States.

The Speaker laid before the Senate sundry documents, contesting the election of James W. Guinn, the sitting member from the county of Macon; which, on motion of Mr. Montgomery, were ordered to be referred to the committee on Privileges and Elections.

Mr. Martin, from the committee on Claims, to whom was referred the resolution in favor of Duncan Black, of Moore county, made a report thereon, recommending the adoption of the said resolution; in which report the Senate concurred, and the resolution was adopted and ordered to be engrossed.

Mr. Williams, of Martin, from the committee on Propositions and Grievances, to whom was referred the petition of sundry persons of the counties of Bladen and Columbus, praying the passage of an act to establish a part of the dividing line between the said counties, made an unfavorable report thereon, and the resolution therein contained, as follows, viz. "Resolved, that the prayer of the petitioners be not allowed," was concurred in by the Senate.

Mr. Meares, from the committee on the Judiciary, to whom was referred the resolution instructing them to inquire into the expediency of giving to a single justice of the peace jurisdiction in all cases of loaned property when the amount does not exceed twenty dollars, made a report thereon unfavorable to the object of the resolution; in which report the Senate concurred, and the committee were discharged from the further consideration of the subject.

Mr. Meares, from the same committee, to whom was referred the bill to prevent the burning of court houses and other public buildings, reported the same with an amendment; which was read, and the question on agreeing thereto, was decided in the affirmative.

Mr. Meares, from the same committee, to whom was referred a bill to amend an act for the suppression of vice and immorality, made an unfavorable report thereon; which was read, and, on motion of Mr. Spaight, ordered that the report, together with the bill, be laid upon the table.

Mr. Meares, from the same committee, to whom was referred the resolution instructing them to inquire into the expediency of limiting the time within which personal property hereafter mortgaged may be redeem-
ed, made a favorable report thereon, accompanied by a bill, entitled a bill to limit the time within which parties interested shall claim equities of redemption in particular property hereafter mortgaged; which was read the first time and passed.

On motion of Mr. Harris,

Resolved, That a message be sent to the House of Commons, proposing to raise a joint committee, to be composed of the members from the counties of Rowan, Davidson, Montgomery, Anson and Richmond, to take under consideration the acts of Assembly now in force relative to the passage of fish up the Pedee and Yadkin rivers, and to ascertain what amendments are necessary to insure the due execution of said laws; and that they report by bill or otherwise.

Mr. M'Entire presented the following resolution, to wit:

Resolved, That the Secretary of State be directed to issue a grant to George Watson and William Kanon, for sixty acres of land, entered in the county of Rutherford, by entry No. 1233, and for which the Public Treasury received the purchase money, 29th September, 1799.

Which was read, and, on motion of Mr. M'Entire, ordered to be referred to the committee on Claims.

Received from the House of Commons the report of the Board of Internal Improvements, accompanied by a message from that House, proposing that it be printed, together with the accompanying documents, one copy for each member of the Legislature; which proposition was agreed to, and the House of Commons was informed thereof by message.

Received also from the House of Commons a message, stating that Messrs. Stokes, Bynum and O'Brien form the standing committee on the Public Library on the part of that House, in pursuance of the joint rules.

Mr. Hinton, of Wake, presented a bill to incorporate the City Guards, of Raleigh; which was read the first, second and third times and passed, and ordered to be engrossed.

Received from the House of Commons a message, stating that they have passed the following engrossed bills, in which they ask the concurrence of the Senate, to wit: a bill to extend the provisions of an act, passed in the year 1822, entitled an act granting further time to perfect titles to lands in this State; and a bill to appoint an additional place of public sale in the county of Rutherford. Whereupon the first mentioned bill was read the first time and passed, and the last mentioned bill was read the first, second and third times and passed, and ordered to be enrolled.

On motion of Mr. Caldwell, of Iredell, the Senate resolved itself into a committee of the whole, Mr. Sneed in the Chair, on the bill to authorize and direct the Supreme Court to be holden in the several places therein directed: and, after some time spent thereon, the Speaker resumed the Chair, and Mr. Sneed reported that the committee had, according to order, had the said bill under consideration, and made some progress therein, and directed him to ask leave to sit again. Ordered that the committee of the whole House have leave to sit again on the said bill.

Mr. Newland presented a bill to erect out of a portion of the counties of Burke and Buncombe a separate and distinct county, by the name of Yancey; which was read the first time and passed, and, on motion of Mr. Newland, ordered to be referred, with the accompanying documents, to a select committee; which committee consists of Messrs. Newland, M'Kay, Brower, Harris and Gavin.

Received from the House of Commons a message, stating their agreement to the proposition of the Senate to refer so much of the Governor's message as relates to resolutions, passed by the Legislatures of Pennsylvania and Delaware, on the subject of the present tariff, to a joint select
committee, and informing that Messrs. Monk, Lloyd, Worth, Polk and Hooper form the said committee on the part of that House.

On motion of Mr. Miller, the Senate proceeded to consider the resolution submitted by him on the 21st instant, relative to stenographers, and the resolution, as follows, to wit: "Resolved, that a suitable place be assigned by the Speaker, within the walls of the Senate, to stenographers to report the proceedings of the Senate," being read, the question on the adoption thereof was decided in the affirmative.

Mr. Beasly presented the resignation of Richard Howell, colonel commandant of the Tyrrell regiment; which was read and accepted, and sent to the House of Commons.

Received from the House of Commons the certificate of allowance of the County Court of Cumberland in favor of Isabella Campbell, a pensioner of the State, endorsed in that House "read and ordered to be countersigned by the Speaker of the House of Commons, and sent to the Senate" and which was ordered to be countersigned by the Speaker of the Senate, and returned to the House of Commons.

Received from the House of Commons, the resignation of Samuel S. S. Shepherd, major of the 13th regiment of militia, and the resignation of W. R. Norcum, a justice of the peace for the county of Chowan, endorsed in that House "read and accepted;" and which were read and accepted by the Senate.

And then the Senate adjourned until to-morrow morning, 10 o'clock.

FRIDAY, NOVEMBER 26, 1830.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill, entitled "a bill to incorporate the City Guards, of Raleigh," in which they ask the concurrence of that House.

Mr. Sherard presented the petition of sundry citizens of the counties of Wayne, Edgecomb, Nash and Johnston, praying the erection of a new county out of parts of the aforesaid counties; which, on motion of Mr. Sherard, was ordered to be referred to the select committee to which is referred the bill to erect out of a part of the counties of Burke and Buncombe a separate and distinct county, together with the documents and papers on file in the Clerk's office, which were presented on the same subject at the last session.

Mr. Newland presented the petition of Killion Jarrett and others, praying the passage of an act to authorize the said Killion Jarrett to erect a dam across a part of the Catawba river, in the county of Burke. On motion of Mr. Newland, ordered that the said petition be referred to the committee on Propositions and Grievances.

Mr. Martin, from the committee on Claims, to whom was referred the resolution in favor of George Watson and William Kannon, made a favorable report thereon, recommending the adoption of the said resolution; in which report the Senate concurred, and the resolution was read and adopted, and ordered to be engrossed.

Mr. M'Entire presented the following resolution, to-wit:

Resolved, That the Secretary of State be directed to issue a grant to Samuel Reid, for one hundred acres of land, entered in the county of Rutherford by entry No. 1393, and for which the Public Treasurer received the purchase money, 28th September, 1799.

Which was read, and, on motion of Mr. M'Entire, ordered to be referred to the committee on Claims, together with the accompanying documents.
Mr. Wilson presented a bill to amend the militia laws of this State; which was read the first time and passed, and, on motion of Mr. Wilson, ordered to be referred to the committee on Military Affairs.

On motion of Mr. Jones, ordered that Mr. Wilson be appointed as an additional member of the committee on Military Affairs.

Mr. Barnes presented a bill to appoint a committee of Finance for the county of Northampton; which was read the first time and passed.

On motion of Mr. Martin, ordered that the bill to establish a bank on the funds of the State, be committed to a committee of the Whole House, and be made the order of the day for Tuesday next.

The bill to appoint a committee of Finance for the county of Northampton was read the second time. Mr. Welch moved to amend the bill by making its provisions extend to the county of Haywood; which amendment was agreed to; and the bill, as amended, was read the second time and passed.

On motion of Mr. Williams, of Franklin, the Senate proceeded to consider the bill to alter the mode of compensation to members of the Senate and House of Commons; and the bill being read the second time, Mr. Martin moved to amend the bill by striking out the words "during the session of the General Assembly," in the ninth line of the first section; which amendment was agreed to. Mr. Martin moved further to amend the bill, by striking out the words "during the session," in the seventh line of the second section; which amendment was also agreed to; and the bill, as amended, was read the second time, and resolved that the same shall not pass—ayes 25, noes 34. The ayes and noes being demanded by Mr. Williams, of Martin, are as follows, to wit:


Those who voted in the negative, are: Messrs. Barnes, Blackwood, Boddie, Cowper, Davenport, Gaugler, Gidney, Hare, Hall, Harris, Hawkins, Hill, Hinton of Beaufort, Hinton of Wake, Hoke, Howell, Jennings, Jones, Kerr, Lindsay, M'Kay, Martin, Mathews, Miller, Montgomery, Perkins, Ramsay, Spight, Selby, Sheardown, Simmons, Speed, Williams of Franklin, Wilson.

On motion of Mr. Meares, ordered that a message be sent to the House of Commons, proposing to refer the bill for the regulation of the patrol to the joint select committee on so much of the Governor's message as relates to slaves and the situation of free persons of colour in this State.

Received from the House of Commons a message, stating that they have passed the following engrossed bills, to wit: A bill concerning the county courts of Iredell; and a bill concerning the county courts of Rowan; in which they ask the concurrence of the Senate. Whereupon the said bills were severally read the first, second and third times and passed, and ordered to be enrolled.

Mr. Meares presented the resignation of John Alderman, a justice of the peace for the county of New Hanover; which was read and accepted and sent to the House of Commons.

Received from the House of Commons a message, accompanied by a memorial from the trustees of the University of North Carolina, and proposing that the said memorial be referred to the joint select committee on so much of the Governor's message as relates to that subject, and that it be printed; which proposition was agreed to by the Senate, and the House of Commons was informed thereof by message.
Mr. Gudger presented the resignation of John Owenby and John Spencer, justices of the peace for the county of Buncombe; which were read and accepted, and sent to the House of Commons.

Received from the House of Commons a message, accompanied by a memorial from the securities of the late John Haywood, praying to be discharged from their liability as his securities; and proposing that the said memorial be referred to a joint select committee, consisting of three members from each House; and stating that Messrs. Mhoon, Shipp and Morris are appointed to form said committee on the part of that House; which proposition was agreed to by the Senate, and Messrs. M'Kay, Marshall and Simmons were appointed to form the committee on the part of the Senate; and the House of Commons was informed thereof by message.

Received also from the House of Commons a message, proposing to raise a select joint committee, consisting of the members of the several counties composing the Fifth Judicial District, to take into consideration the practicality and expediency of giving an extra term, or of extending the terms of the Superior Courts of Anson county; which proposition was agreed to by the Senate, and the House of Commons was informed thereof by message.

A message was also received from the House of Commons, stating that Messrs. Henry, Gary, Bogle, Cooper and Sasser are appointed to form the committee on the part of that House on the subject of the road laws; and that Messrs. Spight, Allison, T. Hill and Moore form the committee on the part of that House on Enrolled Bills.

Received also from the House of Commons a message, proposing that the act of the last session of the Assembly, entitled an act to vest the right of electing sheriffs in the free white men of the State, be referred to a select joint committee; which proposition was not agreed to by the Senate, and a message sent to the House of Commons informing them thereof.

And the Senate then adjourned until to-morrow, 10 o'clock.

Saturday, November 27, 1830.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed resolutions, to wit: A resolution in favor of Duncan Black; and a resolution in favor of George Watson and William Kannon; in which they ask the concurrence of that House.

Mr. Martin, from the committee of Claims, to whom was referred the resolution in favor of Samuel Reid, made a favorable report thereon, recommending the adoption of the said resolution; in which report the Senate concurred, and the resolution was read and adopted and ordered to be engrossed.

Mr. Miller, from the committee on Privileges and Elections, to whom was referred the petition of James Harrison, of the county of Jones, with its accompanying documents, praying that the seat of Risden M. M'Daniel, the Senator returned from the county of Jones, may be vacated, made an unfavorable report thereon, accompanied by the following resolution, to wit:

Resolved, That Risden M. M'Daniel is duly qualified to retain his seat.

In which report the Senate concurred, and the resolution therein contained was read and adopted.

Mr. Meares, from the committee on the Judiciary, to whom was referred
the two resolutions on the subject of amending the act of last session of the General Assembly, entitled an act fixing the fees of clerks of the County and Superior Courts, and sheriffs' fees, made a report thereon, accompanied by a bill, entitled a bill to amend an act, passed at the last session of the General Assembly of North Carolina, entitled an act fixing the fees of clerks of the County and Superior Courts, and sheriffs' fees; which was read the first time and passed, and, on motion of Mr. Meares, ordered to lie on the table.

Mr. Mearcs, from the same committee, to whom was referred the resolution instructing them to inquire into the expediency of so amending the law as to prevent heirs or devisees from selling or conveying the real estate of a deceased debtor before such estate is settled, or within the time limited by law for the settlement of the estates of deceased persons, made a report thereon, accompanied by a bill entitled a bill more effectually to subject the lands of a deceased debtor to the payment of his or her debts; which was read the first time and passed.

Mr. Meares, from the same committee, to whom was referred the resolution instructing them to inquire into the expediency of amending the law as regards the distribution of personal estates, made a report thereon, accompanied by a bill, entitled a bill to amend the law of distribution of personal estate; which was read the first time and passed, and, on motion of Mr. Sherard, ordered to be printed, one copy for each member of the Senate.

Mr. Jones presented the following resolution, to wit:

Resolved. That the Secretary of State be directed to issue a grant to Solomon Green of Wilkes county, for fifty acres of land, by him entered on the first January, 1827, No. 3048, for which he paid the purchase money into the Treasury of this State on the 15th December, 1829.

Which was read, and, on motion of Mr. Jones, ordered to be referred to the committee on Claims.

On motion of Mr. Sneed,

Resolved. That the committee on the Judiciary inquire into the expediency of amending the laws of this State, so as to require executors to give security for their faithful administration.

On motion of Mr. Hawkins,

Resolved. That so much of the Governor's message as relates to a system of exercise and instruction of field artillery, light infantry, &c. furnished by the General Government, be referred to the Military committee.

On motion of Mr. Meares,

Resolved. That a message be sent to the House of Commons, proposing to raise a joint select committee of three members of each House, to consider if any, and what amendments are necessary and expedient to the act of the last session of the General Assembly, entitled an act fixing the fees of the clerks of the County and Superior Courts and sheriffs' fees; and that they report by bill or otherwise.

Mr. Ward presented a bill to encourage and promote the apprehension of runaway negroes; which was read the first time and passed, and, on motion of Mr. Ward, ordered to be referred to the committee on that part of the Governor's message relating to slaves and the situation of free persons of colour in this State.

Mr. Dick presented a bill to repeal the second section of an act, entitled an act to limit the term of office of certain officers therein mentioned, passed in the year 1822, and to amend said act; which was read the first time and passed.

Mr. M'Farland presented a bill to amend an act, passed in the year 1829, entitled an act to vest the right of electing sheriffs in the several counties within this State in the free white men thereof; which was read the first
time and passed; and, on motion of Mr. M'Farland, ordered to be referred to a select committee; which committee consists of Messrs. M'Farland, M'onley, Mosely, Miller and Montgomery.

Mr. Montgomery presented a bill to repeal part of the second section of an act, passed in the year 1806, chapter 708, entitled an act to revise the militia laws of this State; which was read the first time and passed.

Mr. Cowper presented a bill to authorise the County Court of Pleas and Quarter Sessions of the county of Gates to appoint wardens of the poor and to build a poor and work house, and for other purposes; which was read the first time passed.

Received from the House of Commons a message, proposing to ballot on Wednesday next for Public Printer of the State; which proposition was agreed to, and a message sent to the House of Commons, informing them thereof, and stating that the names of Gales & Son and Lawrence & Lemay are in nomination for the appointment.

A message was also received from the House of Commons, proposing to refer so much of the Governor's message as relates to the extension of the laws over the Cherokee Indians, to a joint select committee, and stating that Messrs. J. Whitaker, Stokes, Allison, Jones and Ziglar form the committee on the part of that House; which proposition was agreed to, and Messrs. Meares, Welch, Guinn, Gudger and Newland were appointed to form the committee on the part of the Senate; and the House of Commons were informed thereof by message.

Received also from the House of Commons a message, agreeing to the proposition of the Senate to raise a joint select committee, composed of the members from the counties of Rowan, Davidson, Montgomery, Anson and Richmond, to take into consideration the acts of Assembly now in force relative to the passage of fish up the PeeDee and Yadkin rivers, and ascertain what amendments are necessary to insure a due execution of said laws.

Mr. M'Farland submitted the following resolution, to wit:

Resolved by the Senate and House of Commons, That no private bill shall be introduced in either branch of this Legislature after the 15th day of December next.

And the resolution being read, the question on the adoption thereof was decided in the affirmative. Mr. Hinton, of Wake, moved to reconsider the vote just taken on the adoption of Mr. M'Farland's resolution, and, on the question, will the Senate reconsider the said vote? it was determined in the affirmative. Mr. Newland moved to lay the resolution on the table; which was not agreed to. Mr. Spaight moved that the further consideration thereof be indefinitely postponed; which was not agreed to—ayes 24, noes 32. The ayes and noes being demanded by Mr. M'Farland, are as follows, to wit:


Mr. Meares moved to amend the resolution by striking out the word "eighteenth," and inserting the word "tenth;" and a division of the question being thereupon called for, the question was first taken upon striking out the word "eighteen;" which was agreed to. Mr. Hinton, of Beau-
fort, then moved to fill the blank with the words "twenty-fifth;" which was not agreed to. Mr. Williams, of Franklin, moved to fill the blank with the words "fourth of March next;" which was not agreed to. Mr. Sneed moved to fill the blank with the word "twentieth;" which was not agreed to. Mr. Dick moved to fill the blank with the word "fifteenth;" which was not agreed to. Mr. Mcares moved to fill the blank with the word "tenth;" which was not agreed to. Mr. Marchison moved to fill the blank with the word "seventeenth;" which was not agreed to. Mr. Vanhook moved to fill the blank with the word "nineteenth;" which was not agreed to. Mr. M'Kay moved to fill the blank with the word "twelfth;" which was not agreed to. Mr. Newland moved to postpone the further consideration of the said resolution until the tenth day of December next, and before the question was put on said motion, Mr. Sherard moved that the Senate do now adjourn.

And thereupon the Senate adjourned until Monday morning, 10 o'clock.

MONDAY, NOVEMBER 29, 1830.

William P. Dobson, the Senator from the county of Surry, appeared, produced his credentials, was qualified and took his seat.

A message was sent to the House of Commons, stating that Messrs. Mathews and Ward attend that House as superintendents on the part of the Senate of the balloting for a Senator in the Congress of the United States, as heretofore agreed on.

On motion of Mr. Mathews, ordered that Wm. W. Boddie, the Senator from the county of Nash, have leave of absence for and during this day.

Mr. Hill presented the petition of Robert Payne, of Stokes county, praying to have refunded to him the purchase money for fifty acres of land in the said county, for which he obtained a grant on the 17th day of December, 1829; which, on motion of Mr. Hill, was ordered to be referred, with the accompanying documents, to the committee on Claims.

Mr. Mcares, from the committee on the Judiciary, to whom was referred the bill to provide for the distribution of the estates of deceased insolvent debtors, made an unfavorable report thereon; which was read, and the bill, together with the report, was made the order of the day for to-morrow.

Mr. Mcares, from the same committee, to whom was referred the resolution instructing them to inquire into the expediency of altering and amending, or entirely repealing the act of 1828, chapter 8th, regarding administrators and executors, made a favorable report thereon, accompanied by a bill, entitled a bill to amend an act, passed in 1828, entitled an act to amend the law with respect to the collection of debts from the estates of deceased persons, and the law in relation to the levy of executions issued by justices of the peace; which was read the first time and passed.

Mr. Hinton, of Beaufort, from the committee on internal improvement, to whom was referred the petition and bill for an appropriation to enable the inhabitants residing on Pungo river to improve the navigation of said river, made a favorable report thereon, and recommended the passage of said bill into a law. Whereupon the said report and bill were made the order of the day for to-morrow.

Received from the House of Commons a message, stating that Messrs. Bynum and Webb attend the Senate as superintendents of the balloting for a Senator in the Congress of the United States.
On motion of Mr. M'Neill,
Resolved, That the Judiciary committee be directed to inquire if any, and what amendments are necessary to be made in the existing laws respecting the priority of entries of vacant lands and grants from the State; and that they report by bill or otherwise.

On motion of Mr. Marshall,
Resolved, That the committee on the Judiciary be instructed to inquire into the propriety of altering the present law as to compel the defendant or defendants on plain bonds or promises, when they plead the general issue, to do the same on affidavit; and that they report by bill or otherwise.

On motion of Mr. Cowper,
Resolved, That the committee on so much of the Governor's message as relates to slaves and the situation of free persons of colour in this State, be instructed to inquire whether any, and, if any, what amendments are necessary in the laws upon the subject of slaves having their own time, with leave to report by bill or otherwise.

On motion of Mr. Montgomery,
Resolved, That a select committee be raised to inquire into, and report to this House what amount of dividends and bonuses have been divided in each year, by the State Bank, the Bank of Newbern, and the Cape Fear Bank, since the year 1810.

Ordered that the said committee consist of Messrs. Montgomery, Martin, M'Kay, Meares and Jennings.

On motion of Mr. Hinton, of Beaufort,
Resolved, That the committee of Finance be instructed to inquire whether the labours of the Comptroller and Public Treasurer have not so increased, under the regulations now fixed by law, as to render it necessary and reasonable that a clerk should be allowed to the former, and an assistant clerk to the latter; and that they report by bill or otherwise.

On motion of Mr. Dick,
Resolved, That the Joint Select committee on so much of the Governor's message as relates to slaves and free persons of colour, be instructed to inquire into the propriety of appropriating a part of the funds of the State to removing the five persons of colour in this State to Liberia, on the coast of Africa, or to some country beyond the limits of the United States; and that they report by bill or otherwise.

Mr. M'Kay presented a bill to secure to creditors an equal and just division of the estates of debtors who convey to assignees for the benefit of creditors; which was read the first time and passed, and, on motion of Mr. Williams, of Franklin, ordered to be printed, one copy for each member of the Senate.

Received from the House of Commons a message, transmitting the annual report of the President and Directors of the Roanoke Navigation Company, accompanied by a proposition that the report, together with the accompanying documents, be printed, one copy for each member of the Legislature; which proposition was agreed to, and the House of Commons was informed thereof by message.

Mr. M'Kay presented a bill to authorise the Courts of Justice to regulate the business therein; which was read the first time and passed.

Received from the House of Commons a message, agreeing to the proposition of the Senate that the bill, entitled a bill for the regulation of the patrol, be referred to the select joint committee on that part of the Governor's message relating to slaves and the situation of free persons of colour in this State.

Received also from the House of Commons a message, stating the passage of the following engrossed resolutions, in which they ask the concurrence of the Senate, to wit: A resolution in favor of John Balmore, and a resolution in favor of John Coulter. Whereupon the first mentioned resolution was read and adopted, and ordered to be enrolled; and the last mentioned resolution was read the first time and passed.

A message was also received from the House of Commons, stating that
they have passed the engrossed bill to alter the time and mode of elections in the county of Hertford, with an amendment, to wit: in the second line of the fifth section, after the word “begin,” strike out “at twelve o’clock at noon,” and insert “at 10 o’clock A. M. and shall close at 4 o’clock, P. M.;” in which they ask the concurrence of the Senate; which amendment was agreed to by the Senate, and the House of Commons was informed thereof by message.

Received also from the House of Commons a message, stating that they have passed the following engrossed bills, to wit: A bill to alter the time of holding the County Courts of Ashe county; a bill to authorise the County Court of Lincoln to designate the time and places in said county where personal property shall be sold; and a bill to authorise the County Courts of Lincoln, Haywood, Brunswick and Hyde to appoint committees of Finance, in which they ask the concurrence of the Senate. Whereupon the said bills were severally read the first time and passed.

Mr. Mathews, from the committee appointed to superintend the balloting for a Senator in the Congress of the United States, reported that no person in nomination had received a majority of votes; in which report the Senate concurred.

On motion of Mr. Hinton, of Beaufort, ordered that a message be sent to the House of Commons, proposing to ballot again to-morrow for a Senator in the Congress of the United States.

Mr. M’Farland presented the resignation of Alexander Shaw, colonel commandant of the 93d regiment of North Carolina militia; which was read and accepted, and sent to the House of Commons.

Mr. Brower presented the resignation of William Dugin, a justice of the peace for the county of Randolph; which was read and accepted, and sent to the House of Commons.

Mr. Murchison presented the certificate of the County Court of Cumberland county in favor of Ann Morrison, a pensioner of the State; which, on motion of Mr. Murchison, was ordered to be countersigned by the Speaker of the Senate and sent to the House of Commons.

Received from the House of Commons a message, proposing that another balloting be had immediately for a Senator in the Congress of the United States; which, on motion of Mr. Hinton, of Beaufort, was ordered to be laid upon the table.

On motion of Mr. Caldwell, of Iredell, the Senate resolved itself into a committee of the whole, Mr. Sneed in the chair, to take into consideration the bill to authorise and direct the Supreme Court to be holden in the several places therein directed; and, after some time spent therein, the Speaker resumed the chair, and Mr. Sneed reported that the committee had, according to order, had the said bill under consideration, and had instructed him to report the same to the Senate without amendment, and recommend its passage into a law; in which report the Senate concurred, and the bill being thereupon read the second time, Mr. Sneed moved to amend the bill by striking out the word “present,” in the second line of the 4th section; which amendment was agreed to. Mr. Montgomery moved further to amend the bill by adding the following as an additional section, to wit: “Be it further enacted, that no additional expense shall be added to the expense of our Judiciary system in any way whatever, by the establishment of the branch of the Supreme Court at Statesville, during the ex-
istence of said Court;" which amendment was agreed to, and the bill, as amended, was read the second time and passed—ayes 36, noes 23. The ayes and noes being demanded by Mr. Mathews, are as follows, to wit:


The bill to repeal the second section of an act, entitled an act to limit the term of office of certain officers therein named, passed in the year 1822, and to amend said act, was read the second time and passed.

The bill to limit the time within which parties interested shall claim equities of redemption in personal property hereafter mortgaged, was read the second time. Mr. Murchison moved to amend the bill by striking out the word "two," in the seventh line of the first section, and inserting the word "one;" which amendment was not agreed to, and the question recurring on the passage of the bill the second time, it was decided in the affirmative.

The bill to prevent the burning of court houses and other public buildings, being read the second time, Mr. Sneed moved to amend the bill by inserting the words "or any clerk's office" after the word "house" in the third line of the first section; which amendment was agreed to. Mr. Mathews moved further to amend the bill by inserting the words "wilfully and maliciously" after the word "shall," in the fifth line of the first section; which amendment was also agreed to. Mr. Meares moved further to amend the bill by inserting the words "or register's office," in the seventh line of the first section; which amendment was also agreed to. Mr. Hinton, of Beaufort, moved further to amend the bill by inserting in the said line the words "or any fire engine house;" and Mr. M'Kay moved further to amend the bill by inserting in the said line the words "or any public bridge;" which amendments were also agreed to, and the subsequent provisions of the bill made to correspond thereto; and the bill, as amended, was read the second time and passed.

A message was sent to the House of Commons, stating that Messrs. Spaight and Dick are appointed on the part of the Senate to form the joint committee on enrolled bills.

And the Senate then adjourned until to-morrow morning, 10 o'clock.

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TUESDAY, NOVEMBER 30, 1830.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed resolution in favor of Samuel Reid, in which they ask the concurrence of the House of Commons.

Mr. Spaight presented the certificates of allowance of the County Court of Craven county, in favor of Capt. John Rhem and Christopher Bexly, pensioners of the State; which were read and ordered to be countersigned by the Speaker of the Senate and sent to the House of Commons.

On motion of Mr. Cowper, ordered that a message be sent to the House of Commons, proposing that another balloting be had immediately for a Senator in the Congress of the United States.
Mr. Sneed, from the committee on Finance, whose duty it is made by law to examine the report of the Public Treasurer, the statement of the Comptroller, and in general into the state and condition of the finances of the State, and of the Departments connected therewith, made a detailed report thereon, accompanied by the following resolution, viz.

Resolved, That William Robards, Public Treasurer, be allowed the sum of twenty thousand and eighty-five dollars and ninety-one cents, ($20,085.91,) that sum being the amount of Treasury Notes which have been counted and burnt, agreeable to a joint resolution of the two branches of the Legislature at the present Session, by the committee of Finance, and that the Comptroller credit the Treasurer for the same in the settlement of his public accounts.

Which was read and adopted, and ordered to be engrossed; and, on motion of Mr. Hill, ordered that the said report be printed, one copy for each member of the Legislature.

Received from the House of Commons a message, agreeing to ballot again immediately for a Senator in the Congress of the United States, and stating that Messrs. Bragg and Polk attend the Senate as superintendents of the balloting on the part of that House. Whereupon Messrs. Jones and Sherard were appointed to conduct the balloting on the part of the Senate, and the House of Commons was informed thereof by message.

On motion of Mr. Skinner,

Resolved, That the Judiciary committee be instructed to inquire into the expediency of appointing a standing board of auditors in each county in this State, whose duty it shall be to pass upon all accounts of executors, administrators and guardians; and such accounts, when thus passed upon, shall be considered prima facie evidence in favor of executors, administrators and guardians; and that they report by bill or otherwise.

Mr. Mosely presented a bill to repeal an act, passed in the year 1825, entitled an act to regulate the patrol of Lenoir county; which was read the first, second and third times and passed, and ordered to be engrossed.

The bill to authorise the County Courts of Pleas and Quarter Sessions of the county of Gates to appoint wardens of the poor and to build a poor and work house, and for other purposes; and the engrossed bill to authorise the County Court of Lincoln to designate the time and place in said county where personal property shall be sold, were read the second and third times and passed, and the former ordered to be engrossed, and the latter to be enrolled.

Mr. Sherard, from the committee appointed to conduct the balloting for Senator in Congress, reported that no person in nomination had received a majority of votes; in which report the Senate concurred.

The bill to authorise the County Courts of Lincoln, Haywood, Brunswick and Hyde to appoint a committee of Finance, being read the second time, Mr. Dickinson moved to amend the bill by extending its provisions to the county of Pitt; which amendment was agreed to. Mr. Guinn moved to amend the bill by extending its provisions to the county of Macon; and Mr. Barnes moved further to amend the bill by extending its provisions to the county of Northampton; which amendments were also agreed to. Mr. Dickinson moved further to amend the bill by striking out the words "the first term of said," in the seventh line of the first section, and inserting the word "any," which amendment was also agreed to; and the bill, as amended, was read the second time and passed, and, on motion of Mr. Hoke, ordered to be laid upon the table.

On motion of Mr. Williams, of Franklin, ordered that a message be sent to the House of Commons, proposing that another balloting be had immediately for a Senator in the Congress of the United States.
The engrossed bill to alter the time of holding the County Courts of Ashe county, was read the second and third times and passed, and ordered to be enrolled.

Received from the House of Commons a message, stating that they have passed the engrossed bill to repeal part of an act, passed in 1828, entitled an act to appoint commissioners on the road from Watauga, in Ashe county, to the head of John's river, in Burke county, with an amendment, in which they ask the concurrence of the Senate. Whereupon the amendment was read and agreed to by the Senate, and the House of Commons was informed thereof by message.

Received also from the House of Commons a message, stating that they have passed the engrossed bill to prevent the falling of timber in, or otherwise obstructing the run of Old Sarum creek in Gates county, with an amendment, to wit: After the word "creek," in the sixth line, add the words "or Bennett's creek," from Northfleet's mills to Chowan river," and to make the title of the bill correspond thereto; in which they ask the concurrence of the Senate; which amendment was agreed to by the Senate, and the House of Commons informed thereof by message.

The bill to authorize Courts of Justice to regulate the business therein; and the engrossed resolution in favor of John Coulter, were read the second time and passed.

Received from the House of Commons a message, agreeing to the proposition of the Senate to raise a joint select committee to consider if any, and what amendments are necessary and expedient to the act of the last session of the General Assembly, entitled an act fixing the fees of clerks of the County and Superior Courts and sheriffs' fees, and stating that Messrs. Smith, Shipp and Stockard are appointed to form the committee on the part of that House. Whereupon a message was sent to the House of Commons, stating that Messrs. Meares, Dick and Hinton, of Beaufort, are appointed to form said committee on the part of the Senate.

The bill for the improvement of Pungo river was read the second time; and, on the question, shall this bill pass? it was decided in the negative.

The bill to prevent the burning of court houses and other public building, being read the third time, Mr. Sneed moved to amend the bill by striking out the word "or," where it occurs in the seventh line of the first section; which amendment was agreed to. Mr. Montgomery moved further to amend the bill by inserting the following after the word "town," in the eighth line of the first section, viz: "or any house belonging to any incorporated company, used for public purposes;" which amendment was not agreed to. Whereupon, on motion of Mr. Dick, the bill was ordered to be laid upon the table:

Received from the House of Commons the resignation of Hugh M'Dowell, a justice of the peace for the county of Mecklenburg; endorsed in that House "read and accepted," and which was read and accepted by the Senate.

And then the Senate adjourned until to-morrow morning, 10 o'clock.

**Wednesday, December 1, 1830.**

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: A bill to repeal an act, passed in the year 1825, entitled an act to regulate the patrol of Lenoir
and a bill to authorise the County Court of Pleas and Quarter Sessions of the county of Gates to appoint wardens of the poor, and to build a poor and work house, and for other purposes; in which they ask the concurrence of that House.

Mr. Murchison presented the certificate of allowance of the County Court of Cumberland county, in favor of Sherwood Fort, a pensioner of the State; which was read, and, on motion of Mr. Murchison, ordered to be countersigned by the Speaker of the Senate and sent to the House of Commons.

Mr. Borden presented the memorial of James Manney, late President of the Clubfoot and Harlow Creek Canal Company, praying the Legislature to refund to him the sum of six hundred and eighty-four dollars and one cent, with interest, which sum he paid for the purchase of a Dredging Machine for the use of the said Clubfoot and Harlow Creek Canal Company. On motion of Mr. Borden, ordered that the said memorial be referred to the committee of Internal Improvements.

Mr. Meares, from the joint select committee, to whom was referred so much of the Governor's message as relates to slaves and the situation of free persons of colour in this State, made a detailed report thereon, accompanied by the following bills; to wit: A bill to prevent the gaming of slaves, and to prevent free persons from gaming with them or suffering them to game in their houses; a bill to prevent the circulation of seditious publications and for other purposes; a bill to prevent slaves from attending muster or election grounds on the days of muster or election; a bill to prevent all persons from teaching slaves to read or write, figures excepted; a bill to re-enact a part of the first section of an act, passed in the year 1787, chapter 11th, entitled an act for hiring out persons on indictment or presentment, not being able or willing to pay the fees of office and jailor's fees; a bill to amend the several laws in this State concerning slaves and free negroes; and a bill to regulate the emancipation of slaves; which bills were severally read the first time and passed.

Received from the House of Commons a message, stating their agreement to the proposition of the Senate to ballot again for a Senator in Congress, and informing that the name of John Owen is added to the nomination; and stating further that Messrs. Barringer and Rhodes attend the Senate as superintendents of the balloting on the part of that House. Whereupon Messrs. Hinton, of Wake, and Dick were appointed to conduct the balloting on the part of the Senate, and the House of Commons was informed thereof by message.

Mr. Askew presented the following resolution, to wit:

Resolved, That the Public Treasurer pay to Bridger J. Montgomery, or his agent, the sum of one hundred and twenty-six dollars, it being at the rate of three dollars per day, for twenty-two days he was detained at Raleigh after the rise of the last Legislature, in consequence of a fracture of his leg; and the same shall be allowed him in the settlement of his public accounts.

Which being read, Mr. Newland moved that it be referred to the committee on Claims; which was not agreed to, and the resolution was read the first time and passed.

Mr. Hill made a motion to reconsider the vote taken on yesterday, relative to printing the report of the committee of Finance, and, on the question, will the Senate reconsider the said vote? it was decided in the affirmative. Whereupon Mr. Hill moved that a message be sent to the House.
of Commons, proposing that the said report be printed, one copy for each member of the Legislature; which motion was agreed to.

A message was also sent to the House of Commons, stating that the Senate have passed the engrossed resolution in favor of William Robards, Public Treasurer; in which they ask the concurrence of that House.

On motion of Mr. Meares, ordered that the several bills by him reported this morning, relative to slaves and free persons of color, be printed, one copy for each member of the Senate, and that they be made the order of the day for Monday next.

Mr. Hinton, of Wake, from the committee appointed to conduct the balloting for a Senator in Congress, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred.

Received from the House of Commons a message, stating that Messrs. Cox and Winston attend the Senate as superintendents of the balloting on the part of that House for a Public Printer, as heretofore agreed on. Whereupon Messrs. Marshall and Kerr were appointed to conduct the balloting on the part of the Senate, and the House of Commons were informed thereof by message.

Received from the House of Commons a message, proposing that another balloting be had immediately for a Senator in Congress; which proposition was agreed to by the Senate, and Messrs. Mosely and Wilson appointed to conduct the balloting, and the House of Commons informed thereof by message. Whereupon a message was received from the House of Commons, stating that Messrs. Branch and Ellison were appointed to conduct the balloting on their part.

Mr. Martin, from the committee on Claims, to whom was referred a resolution in favor of Solomon Green, made a favorable report thereon, recommending the adoption of the said resolution; in which report the Senate concurred, and the resolution was thereupon read and adopted and ordered to be engrossed.

Received from the House of Commons a message, stating that they have passed the following engrossed bills, to wit: A bill more effectually to punish persons guilty of burning court houses, clerks' offices and public jails and other public buildings; a bill for the more perfect administration of justice in capital cases; a bill to amend an act, passed in the year 1828, chapter 90, entitled an act to appoint commissioners on a part of the road leading from Morganton to Avery's Turnpike road, in Burke county; and a bill to provide for summoning the original venire in the County Courts of Randolph and Chatham counties; in which they ask the concurrence of the Senate. Whereupon the said bills were severally read the first time and passed.

Mr. Marshall, from the committee appointed to conduct the balloting for Public Printer, reported that Lawrence & Lemay having received a majority of the whole number of votes, are duly elected; in which report the Senate concurred.

The engrossed bill to provide for the summoning the original venire in the County Courts of Randolph and Chatham counties being read the second time, Mr. Martin moved to amend the bill by inserting the word "Rockingham," so as to make the provisions of the bill extend to that county. Mr. Gudger moved further to amend the bill by making its pro-
visions extend to the county of "Buncombe;" and Mr. Hall moved further to amend the bill by making its provisions extend to the county of "Brunswick;" which several amendments were agreed to, and the bill as amended was read the second time and passed.

The engrossed bill to amend an act, passed in the year 1823, chapter 90, entitled an act to appoint commissioners on a part of the road leading from Morganton to Avery's Turnpike Road, in Burke county, was read the second and third times and passed, and ordered to be enrolled.

Received from the House of Commons a message, stating that they have passed the following engrossed bills, to wit: a bill to extend the provisions of an act, passed in the year 1829, chapter 114, entitled an act to prevent the falling of timber in, or otherwise obstructing the run of Rocky river, in a portion of the county of Chatham; and a bill for the establishment of a poor house in Pasquotank county; in which they ask the concurrence of the Senate. Whereupon the said bills were read the first, second and third times and passed, and ordered to be enrolled.

Mr. Wilson, from the committee appointed to conduct the balloting for a Senator in Congress, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred.

Mr. McFarland moved that a message be sent to the House of Commons, proposing that another balloting be had immediately for a Senator in Congress; which motion was not agreed to.

Received from the House of Commons the certificate of allowance of the County Court of Cumberland, in favor of Ann Morrison, a pensioner of the State, endorsed in that House, "Read and ordered to be countersigned by the Speaker of the House of Commons."

A motion was made by Mr. Mosely to reconsider the vote taken on yesterday on the second reading of the bill for the improvement of Pungo river; and on the question, will the Senate reconsider the said vote? it was determined in the affirmative. Whereupon, on motion of Mr. Hinton, of Beaufort, the bill was ordered to be laid upon the table.

And the Senate adjourned until to-morrow morning, 10 o'clock.

Thursday, December 2, 1830.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed resolution in favor of Solomon Green, of Wilkes; in which they ask the concurrence of that House.

Received from the House of Commons a message of the date of yesterday, proposing that another balloting be had immediately for a Senator in Congress; which was read, and, on motion of Mr. Meares, ordered that it be laid upon the table.

On motion of Mr. Jones, ordered that a message be sent to the House of Commons, stating that the name of Montfort Stokes is withdrawn from the nomination for a Senator in Congress.

Received from the House of Commons a message of the date of yesterday, proposing to ballot on this day for a Public Treasurer, and stating that the names of William S. Mhoon and Robert H. Burton are in nomination for the appointment; which was read, and, on motion of Mr. Jones, ordered to be laid upon the table.

On motion of Mr. Hinton, of Beaufort, ordered that a message be sent to the House of Commons, proposing that another balloting be had immediately for a Senator in Congress.
Mr. M'Entire presented the following resolution, to wit:

Resolved by the General Assembly of the State of North Carolina, That the Public Treasurer be directed to pay out of the funds for Internal Improvement, to Theodore F. Birchett, the sum of thirty-nine dollars, for days' services, and to John Logan the sum of eight dollars, for days' services, by them rendered as commissioners for laying off Hickory Nut Gap Road, under the act of 1823, chapter 36.

Which was read, and, on motion of Mr. M'Entire, ordered to be referred to the committee on Internal Improvements.

Mr. Guinn presented the following resolution, to wit:

Resolved, That the Public Treasurer pay to Binnum W. Bell, sheriff of Macon county, the sum of eleven dollars and sixty-five cents, for that amount paid into the Public Treasury as the tax on land held by John Brown, agent of Cathecart and others, which land was listed, and the tax paid in Haywood county; also the sum of thirty-five dollars and forty-four cents, the amount paid into the Public Treasury as the tax on Holdeman's and Eschman's speculation land, which were afterwards sold by said Bell, and purchased for the State; and also the sum of twelve dollars, the expenses incurred in valuing, selling and conveying said land to the Governor; and that he be allowed a credit for the same in the settlement of his accounts.

Which was read, and, on motion of Mr. Guinn, ordered to be referred to the committee on Finance, together with the accompanying documents.

Received from the House of Commons a message, agreeing to ballot again immediately for a Senator in Congress, and stating that Messrs. Moore and Wilson attend the Senate as superintendents of the balloting on the part of that House. Whereupon Messrs. Williams, of Martin, and Hinton, of Beaufort, were appointed to conduct the balloting on the part of the Senate, and the House of Commons informed thereof by message.

Mr. Dick presented a bill to require the clerks and masters in equity, and clerks of the Superior Courts of Law, and clerks of the Courts of Pleas and Quarter Sessions in this State, to issue process in the cases therein mentioned; which was read the first time and passed.

Mr. Selby presented a bill to amend an act, passed in the year 1824, entitled an act to alter and regulate the annual elections in Hyde county; which was read the first time, and, on motion of Mr. Montgomery, ordered to be laid upon the table.

Mr. Blackwood presented a bill to amend an act, passed at the last General Assembly, entitled an act to vest the election of Sheriffs of the several counties, in the free white men thereof; which was read the first time and passed.

The bill to prevent the burning of court houses and other public buildings, being read the third time, Mr. Dick moved to amend the bill by striking out the following words from the last section, to wit: "be deemed guilty of felony, and on conviction thereof, shall suffer death without benefit of clergy," and inserting in lieu thereof the following, to wit: "receive thirty-nine lashes on his or her bare back, stand in the pillory one hour at least, and be fined and imprisoned at the discretion of the court, before whom he or she may be convicted:" which amendment was agreed to, and the bill as amended was read the third time and passed, and ordered to be engrossed.

Mr. Hinton, of Beaufort, from the committee appointed to conduct the balloting for a Senator in Congress, reported that no person in nomination had received a majority of votes; in which report the Senate concurred.

The bill to authorise the County Courts of Lincoln, Haywood, Brunswick and Hyde counties to appoint a committee of Finance, was read the third time, and, on motion of Mr. Meares, ordered that the said bill
be referred to a select committee, with instructions to report a general bill on the subject; and, on motion of Mr. M'Kay, ordered that the committee be further instructed to report a bill abolishing the office of county trustee in the several counties of this State, and to devolve their duties on the sheriffs of said counties. The committee appointed in pursuance thereof consists of Messrs. M'Kay, Meares, Barnes, Marshall and Newland.

Received from the House of Commons a message, stating that they have passed the following engrossed bills, to wit: a bill concerning the poor of Chatham county; a bill to prohibit the falling of timber in, or obstructing the channels of certain water courses, in the county of Lincoln; a bill to repeal the second section of an act, entitled an act concerning the Washington toll bridge, passed in the year 1829; and a bill to authorize Major J. Clark, or him and his associates, to build a toll bridge across Pungo river and at the Log House Landing; in which they ask the concurrence of the Senate. Whereupon the said bills were severally read the first time and passed.

Received also from the House of Commons a message, proposing to ballot again immediately for a Senator in Congress; which was read, and, on motion of Mr. Miller, ordered to be laid upon the table.

Mr. Martin, from the committee on Claims, to whom was referred the petition of Robert Payne, of Stokes county, made an unfavorable report thereon, recommending the rejection of the said petition; in which report the Senate concurred. Ordered that the petitioner have leave to withdraw his petition and accompanying papers.

Mr. Askew moved that a message be sent to the House of Commons, proposing to ballot immediately for Public Treasurer; which motion was not agreed to.

Received from the House of Commons a message, stating that they have passed the following engrossed bills, to wit: a bill to repeal the first section of an act, passed in the year 1825, chapter 116, entitled an act authorising Joseph Welch, of the county of Haywood, to erect two gates on the road called the Smoky Mountain Turnpike Road, and Josiah Holley, of Bertie county, to erect and keep up a gate on his land across the road leading to Colerain landing; a bill to amend an act, entitled an act to alter two of the Courts of Pleas and Quarter Sessions of Lincoln county; a bill to exempt certain persons of the county of Beaufort from serving as jurors of the original pannel; a bill to repeal an act, passed in 1821, entitled an act to increase the number of jurors in the Superior Court of Lincoln county; a bill concerning those persons who are interested in the beach and marshy lands, lying in the county of Currituck; and a bill concerning the payment of jurors in the county of Martin; in which they ask the concurrence of the Senate. Whereupon the said bills were severally read the first time and passed.

A message was also received from the House of Commons, stating their agreement to the proposition of the Senate that the report of the committee of Finance be printed, one copy for each member of the Legislature.

The engrossed bill to repeal an act, passed in 1821, entitled an act to increase the number of jurors in the Superior Court of Lincoln county; and the engrossed bill to amend an act, entitled an act to alter two of
the Courts of Pleas and Quarter Sessions of Lincoln county, were read the second and third times and passed, and ordered to be enrolled.

And then the Senate adjourned until to-morrow morning, 10 o'clock.

Friday, December 3, 1850.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill to prevent the burning of court houses and other public buildings; in which they ask the concurrence of that House.

Mr. Martin presented the memorial of Benjamin F. Dunkin, of the city of Charleston, stating that he had been employed by the Yadkin Navigation Company to prosecute certain claims of that company against some of the citizens of South Carolina, and that in doing so he had incurred certain expenses, and become responsible for others; that the company had failed to furnish the necessary evidence by which the said claims could be substantiated; and praying the Legislature to refund to him the amount of the expenses so incurred. On motion of Mr. Martin, ordered that the said memorial, together with the accompanying documents, be referred to the committee on Propositions and Grievances.

Received from the House of Commons a message, proposing that another ballotting be had immediately for a Senator in Congress; which was read, and, on motion of Mr. Miller, ordered to be laid upon the table—ayes 32, noes 29.

The ayes and noes being demanded by Mr. M'Farland, are as follows, to wit:


Those who voted in the negative, are Messrs. Beasley, Blackwood, Borden, Caldwell of Iredell, Cowper, Crumy, Davenport, Dick, Gavin, Gudger, Hall, Hinton of Beaufort, Howell, Jennings, Jones, Lindsay, M'Farland, M'Neil, Martin, Meares, Moyer, Marchison, Perkins, Ramsey, Ray, Sherard, Simmons, Walton, Welch.

On motion of Mr. Dobson, ordered that a message be sent to the House of Commons, proposing to ballot on Monday next for a Senator in the Congress of the United States.

On motion of Mr. Martin, ordered that a message be sent to the House of Commons, proposing to ballot immediately for a Public Treasurer.

Mr. Sneed, from the committee on Finance, to whom was referred a bill to amend an act, passed in the year 1822, chapter 1st, entitled an act to provide for the civil list and contingent charges of government, made an unfavorable report thereon; in which report the Senate concurred, and the bill being thereupon read the second time, it was resolved that the same shall not pass.

On motion of Mr. Hawkins,

Resolved, That the committee on Roads be instructed to inquire into the expediency of so amending the road laws, as to cause overseers of public roads to put up sign posts at cross roads.

Received from the House of Commons a message, stating that they have passed the following engrossed bill, to wit: A bill to authorise the Court of Pleas and Quarter Sessions of Jones county to appoint a committee of Finance; in which they ask the concurrence of the Senate. On motion of Mr. Newland, ordered that the said bill be referred to the select committee to which is referred the several bills on the same subject.

Received from the House of Commons a message, agreeing to the propo
sition of the Senate to ballot immediately for a Public Treasurer, and stating that Messrs. Bragg and Dowd attend the Senate as superintendents of the balloting on the part of that House. Whereupon Messrs. M'Entire and Askew were appointed to conduct the balloting on the part of the Senate, and the House of Commons was informed thereof by message.

The following engrossed bills, to wit: the bill to prohibit the falling of timber in, or obstructing the channels of certain water courses in the county of Lincoln; the bill to authorise Major J. Clark, or him and his associates, to build a toll bridge across Pungo river at the Log House Landing; and the bill concerning the poor of Chatham county, were severally read the second and third times and passed, and ordered to be enrolled.

The engrossed bill to provide for summoning the original venire in the County Courts of Randolph and Chatham counties, was read the second and third times, amended and passed, and a message sent to the House of Commons, asking their concurrence in the amendments.

The bill to authorise the Courts of Justice to regulate the business therein, being read the third time, Mr. Dobson moved to amend the bill by adding the following as an additional section, to wit: "And be it further enacted, that it shall be lawful for jurors in each and every county in this State to prove their services before any justice of the peace of said county, any law or custom to the contrary notwithstanding;" which amendment was not agreed to. Mr. M'Kay moved further to amend the bill by adding the following as an additional section, to wit: "Be it further enacted, that when any court shall make an order in pursuance of this act, the clerk thereof shall issue subpoenas for witnesses in conformity thereto." Mr. Sneed moved to amend the amendment by inserting after the word "shall," the words "on application of the parties;" which was agreed to, and the amendment, as amended, was adopted; and the bill, as amended, was read the third time and passed, and ordered to be engrossed.

Mr. Askew, from the committee appointed to conduct the balloting for Public Treasurer, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred.

On motion of Mr. Askew, ordered that a message be sent to the House of Commons, proposing that another balloting be had immediately for Public Treasurer.

Mr. Kerr presented the resignation of Bedford Brown, Lieutenant Colonel of the Caswell regiment of militia; Mr. Hill, the resignation of Jeremiah Gibson, of Stokes county; and Mr. Hinton, of Beaufort, the resignation of Jesse Mixon, of Beaufort county, justices of the peace for their respective counties; which were read and accepted and sent to the House of Commons.

Received from the House of Commons a message, agreeing to the proposition of the Senate to ballot again immediately for Public Treasurer, and stating that Messrs. Bush and Weaver attend the Senate as superintendents of the balloting on the part of that House. Whereupon Messrs. Vanhook and Hoke were appointed to conduct the balloting on the part of the Senate, and the House of Commons was informed thereof by message.

Received also from the House of Commons a message, stating that they do not concur in the proposition of the Senate to ballot on Monday next for a Senator in Congress, but propose to ballot on to-morrow, at the
meeting of the two Houses. The message being read, on motion of Mr. Williams, of Franklin, the further consideration thereof was ordered to be postponed until Monday next.

Mr. Dick presented the memorial of the religious society of Friends, of New Garden Yearly Meeting, Guilford county, praying the Legislature not to pass any law imposing fines and forfeitures on members of their society for the non-performance of military duty. On motion of Mr. Dick, ordered that the said memorial be laid upon the table.

Mr. Guinn presented a bill to reduce the number of jurors to lay off roads in Macon county to five free holders; which was read the first time and passed.

The engrossed resolution in favor of John Coulter, was read the third time and passed, and ordered to be enrolled.

Received from the House of Commons, the certificates of the County Court of Craven county, in favor of Capt. John Ethan, Thomas Ewell and Christopher Bexley, pensioners of the State, endorsed in that House. "read and ordered to be countersigned by the Speaker of the House of Commons."

On motion of Mr. Meares, ordered that the galleries and lobbies of the Senate be cleared, for the purpose of going into secret session; and after some time spent therein, the Senate adjourned until to-morrow morning, 10 o'clock.

SATURDAY, DECEMBER 4, 1830.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill to authorise courts of justice to regulate the business therein; in which they ask the concurrence of that House.

Mr. Vanhook, from the committee appointed to conduct the balloting for Public Treasurer, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred.

On motion of Mr. Montgomery, ordered that a message be sent to the House of Commons, proposing that another balloting be had immediately for Public Treasurer.

Received from the House of Commons a message, proposing to ballot immediately for a Senator in Congress; and the message being read, on motion of Mr. Miller, it was ordered to lie on the table until Monday next—ayes 43, noes 19. The ayes and noes being demanded by Mr. Murchison, are as follows, to wit:

Those who voted in the affirmative, are Messrs. Askew, Barnes, Blackwood, Boudle, Borden, Brower, Caldwell of Iredell, Cowper, Dick, Dickison, Dobson, Guinn, Hare, Harris, Hawkins, Hill, Hinton of Wake, Hoke, Jones, Kerr, Lindsay, M'Daniel, M'Kay, M'Entire, Varshall, Martin, Mcleod, Mechnor, Miller, Montgomery, Moseley, Newland, Ray, Spaight, Seby, Skinner, Sneed, Vanhook, Ward, Williams of F. Williams of V. Wilson.


Received also from the House of Commons a message, agreeing to ballot again for Public Treasurer, and stating that Messrs. Dumas and Uzzle attend the Senate to superintend the balloting on the part of that House. Whereupon Messrs. Barnes and Brower were appointed to conduct the balloting on the part of the Senate, and the House of Commons was informed thereof by message.

Mr. M'Farland, from the select committee to whom was referred the
bill to amend an act, passed in the year 1829, entitled an act to vest the right of electing sheriffs in the several counties within this State, in the free white men thereof, reported the same with an amendment; which was read and agreed to by the Senate, and the bill was made the order of the day for Monday next.

Mr. M'Entire presented the following resolution, to wit:

Resolved, That the Public Treasurer be directed to pay to William Carson, sheriff of Rutherford county, the sum of seventeen dollars and twenty-eight cents, that amount having been paid by him into the Treasury, over and above the amount of property due for taxes, owing to an error in the clerk's certificate.

Which was read, and, on motion of Mr. M'Entire, ordered to be referred, with the accompanying documents, to the committee on Claims.

On motion of Mr. Montgomery,

Resolved, That the Comptroller of this State be requested to furnish this House with a statement of the aggregate expenditures of each year since 1814, up to 1829, inclusive.

Mr. M'Kay presented a bill the better to preserve order amongst the slaves by more effectually providing against their hiring their own time, and to prevent their going at large; which was read the first time and passed, and, on motion of Mr. Meares, ordered to be printed, one copy for each member of the Senate.

Mr. Hall presented a bill to compel owners of slaves to employ white overseers in certain cases; which was read the first time and passed, and, on motion of Mr. M'Kay, ordered to be referred to the committee on so much of the Governor's message as relates to slaves and free persons of colour.

Received from the House of Commons a message, proposing that the two Houses ballot on Tuesday next for a Comptroller of the State, and stating that the name of James Grant is in nomination for the appointment; which proposition was agreed to, and the House of Commons was informed thereof by message.

Received also from the House of Commons a message, stating that they have passed the following engrossed bills, to wit: A bill to prohibit shooting matches along or across public roads; and a bill to repeal so much of an act, passed in the year 1806, entitled an act to revise the militia laws of this State relative to infantry, as exempts Moravians from militia duty; in which they ask the concurrence of the Senate. Whereupon the first mentioned bill was read the first time and passed, and the last mentioned bill was, on motion of Mr. Montgomery, ordered to be laid upon the table.

Mr. Martin moved that the Senate do now resolve itself into a committee of the whole, to take into consideration the bill to establish a bank on the funds of the State; which motion was not agreed to.

Mr. Borden, from the committee appointed to conduct the balloting for Public Treasurer, reported that Robert H. Burton having received a majority of the whole number of votes, is duly elected; in which report the Senate concurred.

Received from the House of Commons, the resignation of John M. Greenlee, Lieutenant Colonel of the third regiment of Burke county militia; the resignation of Bennet Ragan, Major of the first regiment of Wake county militia; the resignation of H. B. Sherard, of Duplin county; the resignation of Hardy Henvant, of Johnston county; and the resignation of Hiram Willson, of Ashe county. justices of the peace for their respective
The bill to repeal the second section of an act, entitled an act to limit the term of office of certain officers therein named, passed in the year 1822, and also to amend said act, being read the third time, Mr. Montgomery moved to amend the bill by inserting the following at the end of the first section, to wit: "except so far as respects the clerks of the Superior Courts of Law in this State." Mr. M'Kay moved further to amend the bill by striking out the following after the word "time," in the second section, to wit: "and likewise all the officers mentioned in the first section of the said act, who have been appointed since the passage of the said act;" which amendments were agreed to, and, on motion of Mr. Dick, the subsequent provisions of the bill were made to correspond thereto; and the bill, as amended, was read the third time and passed, and ordered to be engrossed.

Mr. Skinner presented the petition of sundry persons, praying that certain amendments, made by the Legislature of Virginia, to the act incorporating the Lake Drummond and Orapeake Canal Company, may be concurred in by the Legislature of this State. On motion of Mr. Skinner, ordered that the said petition be referred to the committee on the Judiciary.

Mr. M'Farland moved that a message be sent to the House of Commons, proposing to ballot on Monday next for a Senator in Congress; but, before the question on said resolution was decided, a motion was made to adjourn; and

The Senate thereupon adjourned until Monday morning, 10 o'clock.

MONDAY, DECEMBER 6, 1830.

Mr. Hinton, of Beaufort, from the select committee on Internal Improvement, to whom was referred the resolution in favor of Theodoric F. Burchett and John Logan, made a favorable report thereon, accompanied by the following resolution, viz.

Resolved, That Theodoric F. Burchett be allowed the sum of sixty-seven dollars, thirty-one and one fourth cents (§67 31 does) and that John Logan be allowed the sum of seventy dollars (70 dollars,) for services by them rendered as commissioners for laying off the road from Asheville, by the Hickory Nut Gap, to Rutherfordton, under the act of 1825, chapter 26th, and that the Public Treasurer pay the same out of the fund set apart for Internal Improvement.

In which report the Senate concurred; and the resolution was read the first time and passed.

Mr. Ward presented the following preamble and resolution, viz.

Whereas it appears from the certificate of the Secretary of State, that William Montfort, of Onslow county, did, on the 15th day of December, 1811, pay the purchase money to the State for five hundred acres of land, in the said county of Onslow, which, by the entry taker's warrant, it appears he entered on the 15th day of October, 1817, No. 866; and that it also appears by the certificate of the county surveyor for said county, that he could find only three hundred acres of vacant land subject to said entry and warrant, and that there is a deficiency of two hundred acres which has been paid for by the said William Montfort:

Therefore, be it resolved, That the Public Treasurer pay to William Montfort, of Onslow county, the sum of ten dollars, and that he be allowed the same in the settlement of his public accounts.

Which was read the first time and passed, and, on motion of Mr. Ward, ordered to be referred to the committee on Claims, together with the accompanying documents.

Mr. M'Kay presented a bill to make husbands, after the determination of coverture, liable to the payment of the debts of their wives contracted before marriage; which was read the first time and passed.
Mr. M'Kay also presented a bill to authorize defendants in suits on bonds, &c. to go into the consideration thereof; which was read the first time and passed.

Mr. Dickinson presented a bill to incorporate a light infantry company in the town of Greenville; which was read the first time and passed.

Mr. Beasley presented a bill to repeal an act of the General Assembly, passed in the year 1827, chapter 6th, entitled an act concerning the entry of lands in this State; which was read the first time and passed. Mr. Sneed moved that the said bill be referred to the committee on Education; which motion was not agreed to.

Received from the House of Commons a message, stating that they concurred in the amendments made by the Senate to the engrossed bill to provide for summoning jurors to the County Courts of Randolph and Chatham counties; whereupon the said bill was ordered to be enrolled.

On motion of Mr. M'Farland, ordered that a message be sent to the House of Commons, proposing to ballot immediately for a Senator in Congress.

Received from the House of Commons a message, stating that they have passed the following engrossed bills, to wit: a bill for the better government of the town of Elizabeth City, in the county of Pasquotank, and for other purposes; and a bill to prevent obstructions to the passage of fish up Neuse river, Brice's creek and Trent river; in which they ask the concurrence of the Senate. Whereupon the said bills were read the first time and passed.

Received also from the House of Commons a message, proposing to raise a joint select committee of three members from each House on the Public Buildings, and stating that Messrs. Gary, Rand and Dodson compose the said committee on the part of that House; which proposition was agreed to, and Messrs. Hinton, of Wake, Boddie and Sneed were appointed to form the committee on the part of the Senate, and the House of Commons was informed thereof by message.

The resolution in favor of Bridger I. Montgomery was read the second and third times and passed, and ordered to be engrossed.

The bill to amend an act, passed at the last General Assembly, entitled an act to vest the election of sheriffs of the several counties in the free white men thereof, was read the second time, and resolved that the same shall not pass.

Received from the House of Commons a message, agreeing to ballot again immediately for a Senator in Congress, and stating that Messrs. Clark and Irion are appointed to superintend the balloting on the part of that House. Whereupon Messrs. Martin and Dickinson were appointed to conduct the balloting on the part of the Senate, and the House of Commons was informed thereof by message.

The Speaker laid before the Senate a statement, made out by the Comptroller in obedience to the resolution of the Senate of the 4th instant, shewing the aggregate amount of the expenditures of the State from the year 1814 to 1829, inclusive; which, on motion of Mr. Montgomery, was ordered to be printed, one copy for each member of the Senate.

Mr. Dickinson, from the committee appointed to conduct the balloting for a Senator in Congress, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred.
The bill to require the Clerks and Masters in Equity and Clerks of the Superior Courts of Law and Clerks of the Courts of Pleas and Quarter Sessions in this State to issue process in the cases therein mentioned, was read the second time, and resolved that the same shall not pass.

The bill to amend an act, passed in the year 1829, entitled an act to vest the right of electing sheriffs in the several counties within this State in the free white men thereof, together with the amendment reported by the committee, was read the second time and passed.

Received from the House of Commons a message, proposing to ballot again immediately for a Senator in Congress; which proposition was agreed to, and Messrs. Spaight and Moye were appointed to conduct the balloting on the part of the Senate, and the House of Commons was informed thereof by message. Whereupon a message was received from the House of Commons, stating that Messrs. Edmonston and Stedman attend the Senate to conduct the balloting on the part of that House.

The engrossed bill to prohibit shooting matches along or across public roads being read the second time, Mr. Dobson moved to amend the bill by striking out the words "or within one hundred yards of any such road," in the seventh and eighth lines of the first section. Mr. Montgomery moved that the bill be postponed indefinitely; which was not agreed to. The question then recurring on the amendment proposed by Mr. Dobson, it was decided in the negative. Mr. Vanhook moved to amend the bill by striking out the words "one hundred," and insert the word "fifty;" which amendment was not agreed to, and the bill was read the second time and passed.

The bill to regulate the emancipation of slaves was read the second time. Mr. Dick moved to amend the bill by striking out the words "one thousand," in the twenty third line of the first section, and inserting the words "five hundred;" and also to strike out the words "ninety days," in the twenty ninth line of the same section, and insert the words "six months;" which amendments were not agreed to. Mr. Sneed moved further to amend the bill by striking out the words "some public newspaper," and insert the words "State Gazette;" which amendment was agreed to, and the bill as amended was read the second time and passed.

Mr. Spaight, from the committee appointed to conduct the balloting for a Senator in Congress, reported that Willie P. Mangum, having received a majority of the whole number of votes, is duly elected; in which report the Senate concurred.

And the Senate then adjourned until to-morrow morning, 10 o'clock.

Tuesday, December 7, 1830.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill to repeal the second section of an act, entitled an act to limit the term of office of certain officers therein named, passed in the year 1822, and to amend the said act; and the engrossed resolution in favor of Bridger I. Montgomery; in which they ask the concurrence of that House.

On motion of Mr. Mathews, a message was sent to the House of Commons, stating that Messrs. Mathews and Selby attend that House as superintendents of the balloting for Comptroller, as heretofore agreed upon to take place this day.
Mr. M'Entire presented the petition of Charles Lewis, praying the passage of an act to authorize and empower the County Court of Rutherford to appoint a jury to assess the damages, which the said Charles Lewis may have sustained in consequence of a public road being laid out through his lands by commissioners appointed by an act of Assembly, passed in the year 1823. On motion of Mr. M'Entire, ordered that the said petition be referred to the committee on Propositions and Grievances.

Mr. Martin, from the committee on Claims, to whom was referred the resolution in favor of William Montfort, made an unfavorable report thereon, recommending the rejection of the said resolution. On motion of Mr. Ward, ordered that the report and resolution be laid upon the table.

Received from the House of Commons a message, stating that Messrs. Donnell and Willey attend the Senate as superintendents of the balloting on the part of that House for a Comptroller of Public Accounts.

Mr. Williams, of Martin, from the committee on Propositions and Grievances, to whom was referred the petition of David Scarborough and others, securities of James Eastwood, late sheriff of Greene county, made a favorable report thereon; which was read, and, on motion of Mr. M'Kay, ordered that the said report be re-committed to the same committee, with instructions to inquire and report whether the said securities have accounted for and paid into the Public Treasury the taxes on the unlisted property of the county of Greene for the year 1830.

Mr. Ward, from the committee on Military Affairs, to whom was referred the bill concerning a troop of cavalry in the counties of Burke, Wilkes and Iredell, reported the same without amendment, and recommended its passage into a law. Whereupon the bill was read the second time, and on the question, shall the said bill pass? it was decided in the negative.

Mr. Mathews, from the committee appointed to conduct the balloting for a Comptroller of Public Accounts, reported that James Grant having received a majority of the whole number of votes, is duly elected; in which report the Senate concurred.

Mr. Newland, from the select committee to whom was referred the bill and accompanying memorial to erect a new county out of a portion of the counties of Buncombe and Burke, made a report thereon, recommending the passage of the said bill into a law; and the report having been read, on motion of Mr. Newland, ordered that it be printed, one copy for each member of the Legislature, and that the bill be laid upon the table.

Mr. Hill presented a bill concerning the poor of Stokes county; which was read the first and second times and passed.

Mr. Williams, of Martin, presented a bill for the better regulation of the town of Williamston; which was read the first time and passed.

The engrossed bill to repeal so much of an act, passed in the year 1806, entitled an act to revise the militia laws of this State relative to infantry, as exempts Moravians from militia duty, was taken up on motion of Mr. Montgomery, read the first time and passed.

The engrossed bill to extend the provisions of an act, passed in the year 1822, entitled an act granting further time to perfect titles to lands in this State, was taken up on motion of Mr. Jones and read the second time. Mr. Jones moved to amend the bill by striking out the figures "1833" in the fifth line of the first section, and inserting the figures "1835," which amendment was agreed to. Mr. Jones moved further to amend the bill by
inserting after the said figures the following words, to wit: "as to all entries made since the year one thousand eight hundred and fifteen;" which amendment was also agreed to, and the bill as amended was read the second time and passed.

The bill to amend an act, entitled an act to prevent vice and immorality, by declaring the offences therein contained to be the subject of indictment, passed in the year 1805, was taken up, on motion of Mr. Dick, read the second time and passed.

The bill to reduce the number of jurors to lay off roads in the county of Macon to five freeholders, was taken up, on motion of Mr. Meares, and read the second time. Mr. Meares moved to amend the bill by striking out the whole of the second section, and inserting in lieu thereof the following, to wit: "Be it further enacted, that whenever any contemplated road may run through the lands of any individual, who shall not consent thereto, it shall, in all such cases, be necessary to summon the same number of jurors as now prescribed by law;" which amendment was agreed to, and the bill, as amended, was read the second and third times and passed, and ordered to be engrossed.

Received from the House of Commons a message, stating that they have passed the following engrossed bill, viz: a bill to repeal an act, passed in the year 1829, entitled an act to divide the regiment of militia in Macon county; in which they ask the concurrence of the Senate. Whereupon the said bill was read the first, second and third times and passed, and ordered to be enrolled.

The bill to authorise the Supreme Court to be holden in the several places therein mentioned, was read the third time and passed, and ordered to be engrossed—ayes 33, noes 27. The ayes and noes being demanded by Mr. Hawkins, are as follows, to wit:


Those who voted in the negative, are Messrs. Askew, Barnes, Boddie, Borden, Cowper, Davenport, Gavin, Hare, Hal, Hawkins, Hinton of Wake, Howell, Lindsay, M'Daniel, Matthews, Moeley, Moye, Perkins, Spaight, Simmons, Sneed, Vanhook, Walton, Ward, Williams of Franklin, Williams of Martin, Wilson.

Received from the House of Commons the resignation of William Thompson, a justice of the peace for the county of Wayne, endorsed in that House "read and accepted;" and which was read and accepted by the Senate.

The bill to prevent all persons from teaching slaves to read or write, the use of figures excepted, being read the second time, Mr. Dick moved to amend the bill by striking out the words "read or," in the fifth line of the first section; which amendment was not agreed to. Mr. Dick moved further to amend the bill by adding the following as an additional section, to wit: "that the provisions of this act shall not extend to the county of Guilford;" which amendment was also not agreed to, and the bill was read the second time and passed.

And the Senate then adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, DECEMBER 8, 1830.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: a bill to reduce the number of jurors to lay off roads in the county of Macon to five freeholders;
and a bill to authorize and direct the Supreme Court to be held in the several places therein directed; in which they ask the concurrence of the House of Commons.

Mr. Dobson presented the petition of sundry citizens of the county of Surry, praying the passage of an act to compel John Frost, of said county, to keep open his mill dam across Mitchell's river for the passage of fish up said river, for a given period in each year. On motion of Mr. Dobson, ordered that the said petition be referred to the committee on Propositions and Grievances.

Mr. Meares, from the committee on the Judiciary, to whom was referred the resolution instructing them to inquire into the expediency of so amending the law as to compel defendants in suits on bonds and promissory notes, to verify the plea of the general issue by affidavit, reported that, in their opinion, such an alteration of the law is unnecessary and inexpedient, and asked to be discharged from the further consideration of the subject; in which report the Senate concurred, and the committee were discharged accordingly.

Mr. Meares, from the same committee, to whom was referred the act of the General Assembly of North Carolina, passed at the last session, entitled an act to incorporate the Lake Drummond and Orapeake Canal Company, with sundry amendments enacted by the General Assembly of Virginia, reported that, in the opinion of your committee, it is expedient to adopt all the alterations in said act as proposed by the Legislature of Virginia, except that which totally repeals the eighteenth section; and that instead of a total repeal of the said section, it be amended so as to extend the duration of the corporation to seventy years; in which report the Senate concurred; and, on motion of Mr. Meares, ordered that the said act, so referred, be laid upon the table.

Mr. Martin, from the committee on Claims, to whom was referred the resolution in favor of William Carson, made a favorable report thereon, recommending the passage of the said resolution; in which report the Senate concurred, and the resolution was read the first time and passed.

Mr. Hinton, of Beaufort, from the select committee on Internal Improvement, to whom was referred the petition of Dr. James Manney, asking payment for a small dredging machine by him purchased for the use of the Clubfoot and Harlow Creek Canal Company, made a favorable report thereon, accompanied by a resolution instructing the Public Treasurer to pay to the said James Manney the sum of eight hundred and twenty-eight dollars and seventy-five cents, for the dredging machine purchased as aforesaid; in which report the Senate concurred, and the resolution was read the first time and passed.

Mr. Skinner presented a bill to incorporate the Gates Canal Company; which was read the first time and passed, and, on motion of Mr. Cowper, ordered to be referred to the committee on Internal Improvement.

Mr. Murchison presented a bill more effectually to provide for the proper payment of money out of the clerks' offices of the several counties of this State, and sheriffs; which was read the first time and passed.

Mr. Simmons presented a bill concerning the Superior and County Courts of the several counties within this State; which was read the first time and passed.

Received from the House of Commons a message, proposing to ballot on
to-morrow for a Governor of the State for the ensuing year, and stating that John Owen is in nomination for the appointment; which proposition was agreed to, and the House of Commons was informed thereof by message.

Mr. M'Kay presented a bill to authorise Judges to grant writs of ne extant in certain cases therein mentioned; which was read the first time and passed.

Mr. M'Kay also presented a bill to amend an act, passed in the year 1799, entitled an act to amend an act, entitled an act for the better observation and keeping of the Lord's day, commonly called Sunday, and for the more effectual suppression of vice and immorality, passed in the year 1741: which was read the first time and passed.

The bill concerning the poor of Stokes county being read the third time, Mr. Hill moved to amend the bill by striking out the whole thereof except the enacting clause; and inserting in lieu thereof a substitute; which amendment was agreed to, and the bill, as amended, was read the third time and passed, and ordered to be engrossed.

Received from the House of Commons a message, accompanied by a resolution, proposing to raise a joint select committee to inquire into the expediency of selling the Cherokee lands, or such portion of them as may be thought proper; also to inquire into the expediency of memorializing the Congress of the United States on the necessity and propriety of establishing a branch of the United States' Mint in this State; which proposition was agreed to, and Messrs. Spaight, Guinn, Welch, Dick and Doddie were appointed to form said committee on the part of the Senate, and the House of Commons was informed thereof by message.

The engrossed bill to prohibit shooting matches along or across public roads, being read the third time, Mr. Howell moved to amend the bill by striking out the whole thereof after the word "and," in the eighth line of the first section, and inserting the following, to wit: "all those who engage in shooting matches contrary to the provisions of this act, shall be subject to a fine of five dollars each, recoverable before any justice of the peace for the county in which such offence is committed, one half to the use of the informer, and the other half to the use of the wardens of the poor, to be by them converted to the use of the poor of the county where such offence is committed." Mr. Dick moved to amend the amendment by adding the following at the end thereof, to wit: "and on failure to pay said fine, the offender or offenders shall be committed to jail for five days;" which amendment was not agreed to. Mr. Dobson moved that the bill, together with the proposed amendment, be indefinitely postponed; which was not agreed to. The question then recurring on agreeing to the amendment proposed by Mr. Howell, it was decided in the negative. Mr. Jones moved further to amend the bill by inserting after the word "match," in the sixth line, the words "for property or money;" which amendment was agreed to. Mr. Newland moved further to amend the bill by adding the following proviso, to wit: "Provided that nothing in this act shall be so construed as to prohibit people from shooting at mastsers for lead." Mr. Hoke moved to amend the proviso by adding the words "whiskey and cider;" which amendment was agreed to; and the question then recurring on agreeing to the proviso, as amended, it was decided in the negative. Mr. M'ears moved further to amend the bill by striking out the words, "one hundred," in the seventh line, and inserting the word "fifty;" which
amendment was agreed to. Mr. Dobson moved further to amend the bill by adding the following as an additional section, to wit: "Be it further enacted, that the provisions of this act shall not extend to the county of Surry." Mr. Montgomery moved to amend the amendment by adding the words "and Orange." Mr. Martin moved that the further consideration of the said bill, together with the proposed amendments, be postponed until the fourth day of March next; which motion was agreed to.

On motion of Martin, the Senate entered on the order of the day, and resolved itself into a committee of the Whole House, Mr. Hinton, of Wake, in the Chair, to take into consideration a bill to establish a Bank on the funds of the State; and, after some time spent therein, the Speaker resumed the Chair; and Mr. Hinton reported that the committee had, according to order, had the said bill under consideration and made some progress therein; but not having sufficient time to go through the same, had instructed him to ask leave to sit again; and on the question, shall the committee of the whole have leave to sit again on the said bill? it was determined in the affirmative.

Mr. Cowper moved that the act of the last session of the General Assembly, entitled an act to incorporate the Lake Drummond and Orapeake Canal Company, with the several amendments made to the said act by the Legislature of Virginia, be referred to the select committee on Internal Improvements; which motion was not agreed to.

And then the Senate adjourned until to-morrow morning, 10 o'clock.

THURSDAY, DECEMBER 9, 1830.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill, entitled a bill concerning the poor of Stokes county; in which they ask the concurrence of that House.

Mr. Miller presented the petition of sundry citizens of the county of Duplin, praying the passage of an act more effectually to prohibit the retailing of ardent spirits by the small measure. Mr. Miller also presented the following resolution, to wit:

Resolved, That the committee on Finance be instructed to inquire what alteration is necessary to be made in the law authorising the Courts of Pleas and Quarter Sessions to grant licences to persons to retail spirituous liquors by the small measure; and that they report by bill otherwise.

On motion of Mr. Miller, ordered that the said petition and resolution be referred to the committee on Finance.

Mr. Sneed, from the committee on Finance, to whom was referred the bill to amend a part of the fourth section of an act, passed in 1822, entitled an act to provide a revenue for the payment of the civil list and contingent charges of Government, made a report thereon, recommending the rejection of said bill; which was read, and the bill was made the order of the day for to-morrow.

Mr. Dick, from the joint select committee, to whom was referred the several bills and resolutions relative to the fees of the clerks of the Superior and County Courts and sheriffs, made a report thereon, accompanied by a bill entitled a bill fixing the fees of the clerks of the County and Superior Courts and sheriffs' fees; which was read the first time and passed, and, on motion of Mr. Dobson, ordered to be printed, one copy for each member of the Legislature.

Mr. Dobson presented a bill to appoint commissioners for the town of
Rockford, in the county of Surry, and to incorporate the same; which was read the first and second times and passed.

Mr. M’Kay presented a bill to repeal certain acts and parts of acts, on the ground of their being unconstitutional; which was read the first time and passed. Mr. Hall moved that the said bill be printed, one copy for each member of the Legislature; which motion was not agreed to.

Mr. M’Kay also presented a bill for revising and digesting the public statute laws of this State; which was read the first time and passed.

Received from the House of Commons a message, stating that in consequence of a communication received from his Excellency Governor Owen, declining a re-election to the office of Governor, they have reconsidered their proposition to ballot for that officer on this day, and propose that the balloting take place on Monday next; and stating that Montfort Stokes, Esq. is in nomination for the appointment; which proposition was agreed to by the Senate, and the House of Commons was informed thereof by message.

Received also from the House of Commons a message, proposing to raise a joint select committee, consisting of three members from each House, to inquire into the situation of the public arms deposited in the Arsenal; which was read, and, on motion of Mr. Ward, ordered to be laid upon the table.

The bill for the better regulation of the town of Williamston, was read the second and third times and passed, and ordered to be engrossed.

The engrossed bill for the better government of the town of Elizabeth City, in the county of Pasquotank, and for other purposes, was read the second time and passed.

The engrossed bill to extend the provisions of an act, passed in the year 1822, entitled an act granting further time to perfect titles to lands in this State, was read the third time and passed, and a message sent to the House of Commons asking their concurrence in the amendments.

The resolution in favor of William Carson, was read the second and third times and passed, and ordered to be engrossed.

The bill to incorporate a light infantry company in the town of Greenville, was read the second time and passed, and, on motion of Mr. Ward, ordered to be laid upon the table.

The bill to amend an act, entitled an act to prevent vice and immorality by declaring the offences therein contained to be the subject of indictment, passed in the year 1805, was read the third time and passed, and ordered to be engrossed.

The bill to amend an act, passed in the year 1829, entitled an act to vest the right of electing sheriffs in the several counties within this State in the free white men thereof, being read the third time, Mr. Hinton, of Beaufort, moved to amend the bill by adding the following as additional sections, to wit:

"Be it further enacted by the authority aforesaid, that hereafter no person shall be eligible to the office of sheriff, in any county in this State, who has been or shall hereafter be sheriff of such county, and has failed to settle with and fully pay up to every officer the taxes which by law were due from him; nor shall any court permit any such former sheriff to give bond for and re-enter upon the duties of said office, until he has produced before said court the receipt in full of every officer aforesaid, for such taxes-
Be it further enacted by the authority aforesaid, that no person shall be eligible to the office of sheriff, who shall not have possessed the freehold, mentioned in the before recited act, for the space of six months next before and immediately preceding the day of his election; and shall continue to hold said freehold during his term of office.

Be it further enacted by the authority aforesaid, that the return of votes given for sheriff, which, by the before recited act, is required to be made to the clerk of the County Court separate and apart from the votes given for members of the Assembly, shall be made by the receiving officers to such clerk within the time fixed by law for making the return of election for members of the Assembly.

And be it further enacted, that it shall be the duty of clerks to attend on such day and place to receive said returns of the votes for sheriff.

And the question being taken on agreeing to the said amendments, it was decided in the affirmative. Mr. Snead moved further to amend the bill by adding the following as an additional section, viz.

And be it further enacted, that no person who shall have been convicted of felony, or the crime falsi, shall be capable of voting for a sheriff.

Which amendment was also agreed to, and the bill, as amended, was read the third time and passed, and ordered to be engrossed.

The bill to prevent all persons from teaching slaves to read or write; the use of figures excepted, being read the third time, Mr. Dick moved to lay the bill upon the table; which was not agreed to. Mr. Montgomery moved to amend the bill by striking out the words "read or," in the fifth line of the first section; which amendment was not agreed to. Mr. M'Farland moved further to amend the bill by adding the following as an additional section, viz. And be it further enacted, that this act shall not be in force until after the first day of May next; which amendment was not agreed to, and the bill was thereupon read the third time and passed, and ordered to be engrossed—ayes 56, noes 22. The ayes and noes being demanded by Mr. Montgomery, are as follows, to wit:


The bill to regulate the emancipation of slaves being read the third time, Mr. M'Kay moved to amend the bill by adding the following proviso, to come in at the end of the third section, to wit: Provided further, that no permission shall be granted to any executor or executors to emancipate any slave or slaves, under the directions of the last will and testament of his or their testator, before the expiration of two years from and after the probate of said last will and testament, unless the said executor or executors shall enter into bond with approved security to the Governor of the State for the time being, in double the value of the slave or slaves proposed to be emancipated, conditioned to be answerable to the creditors of his or their testator for the value of said slave or slaves; which amendment was agreed to, and the bill, as amended, was read the third time and passed, and ordered to be engrossed.

And then the Senate adjourned until to-morrow morning, 10 o'clock.
JOURNAL OF THE SENATE.

FRIDAY, DECEMBER 10, 1830.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills and resolution, to wit: A bill to regulate the emancipation of slaves in this State; a bill to prevent all persons from teaching slaves to read or write, the use of figures excepted; a bill to amend an act, passed in the year 1829, entitled an act to vest the right of electing sheriffs in the several counties within this State, in the free white men thereof; and the resolution in favor of William Carson, sheriff of Rutherford county; in which they ask the concurrence of that House.

The Speaker laid before the Senate the report of the Adjutant General of the State, shewing the situation of the militia and public arms; which, on motion of Mr. Newland, was ordered to be sent to the House of Commons, with a proposition that it be printed, one copy for each member of the Legislature.

Mr. Miller, from the committee on Privileges and Elections, to whom was referred the petition of Benjamin S. Brittain, with its accompanying documents, contesting the election of James W. Guinn, the sitting member from the county of Macon, made a report thereon, accompanied by the following resolution, to wit:

Resolved, That James W. Guinn, the sitting member from the county of Macon, is entitled to retain his seat.

In which report the Senate concurred, and the resolution was read and adopted.

Mr. Sneed, from the committee of Finance, made a report, setting forth that in the course of the examination of the disbursements of the public monies for the last fiscal year, the attention of the committee was directed to a resolution, passed at the last session of the General Assembly, directing the Public Treasurer to pay to the assignee of the late Chief Justice Taylor the sum of $468 19, and to his legal representative the further sum of $418 80, in full of the balance of salary due him. That the Treasurer, in the exercise of his duty, felt himself bound to refuse payment of the latter sum, unless the said representative would allow to be deducted therefrom the amount of certain bonds, given by the late Chief Justice Taylor to the State, for property purchased by him at the sale of the property of the late Treasurer Haywood, which the said representative refused to do; and in order to remove all difficulty upon the subject, the committee recommend the adoption of the following resolution, to wit:

Resolved, That the Public Treasurer be, and he is hereby directed to pay to the legal representative of the late Chief Justice Taylor, the sum of three hundred and seventy-two dollars and eighty cents, and to cancel and deliver to the said representative three bonds for the several sums of $15 33, $15 34, $15 33, for purchases at the sale of the property of the late John Haywood, Esquire, and that the Comptroller credit the Treasurer for that sum.

Which was read the first time and passed.

Mr. Newland, from the committee, to whom was referred the memorial of sundry citizens of the counties of Wayne, Johnston, Nash and Edgecomb, praying the erection of a new county out of parts of the aforesaid counties, made an unfavorable report thereon; which was read, and, on motion of Mr. Askel, ordered that it be laid upon the table.

Mr. Davenport presented the following preamble and resolution, to wit:

Whereas the laws of this State relative to the punishment of slaves for violence towards white persons are deemed defective:

Resolved therefore, That the Judiciary committee be instructed to inquire into the expediency of amending the laws now in force relative to the punishment of slaves for using violence towards white persons, by increasing the same; and that they report by bill or otherwise.
Which was read, and the question on the adoption thereof was decided in the affirmative.

Received from the House of Commons a message, transmitting sundry documents, shewing the situation of the State Bank of North Carolina, and the Bank of Newbern, accompanied by a proposition that the same be printed; which was agreed to, and the House of Commons was informed thereof by message.

Received also from the House of Commons a message, stating that Messrs. Glenn, Bryan Barnhardt, Fleming and Grandy form the committee on the part of that House on the resolution to inquire into the expediency of selling the Cherokee lands, and upon the propriety of memorializing the Congress of the United States on the subject of establishing a branch of the United States' mint within this State.

Mr. Hinton, of Beaufort, presented a bill to amend an act, passed at the last session, entitled an act concerning fishing in the waters of Blount's creek; which was read the first and second times and passed.

The bill to appoint commissioners for the town of Rockford, in the county of Surry, and to incorporate the same, being read the third time, Mr. Hawkins moved to amend the bill by inserting in the fourth line of the first section the names of William P. Dobson and Watson Holyfield; which amendment was agreed to. Mr. Dobson moved further to amend the bill by adding the following as an additional section, viz. "Be it further enacted, that in case of vacancy by death, resignation or otherwise, the surviving or remaining commissioners shall have full power to fill such vacancy; and the person or persons so appointed, (a majority being present,) shall have and possess as full power and authority as if appointed by this act;" which amendment was agreed to, and the bill, as amended, was read the third time and passed, and ordered to be engrossed.

A motion was made by Mr. Miller to reconsider the vote taken on concurring with the report made this morning by the committee on Privileges and Elections, on the petition of Benjamin S. Brittain, and on the question, will the Senate reconsider the said vote, it was decided in the negative.

The bill to amend an act, passed in the year 1826, entitled an act to prohibit the trading with slaves, except in the manner therein prescribed; and the engrossed bill to repeal so much of an act, passed in the year 1806, entitled an act to revise the militia laws of this State relative to infantry, as exempts Moravians from militia duty, were read the second time and passed.

Received from the House of Commons the resignation of Willie P. Mangum, one of the judges of the Superior Courts of Law and Equity of this State, endorsed in that House "read and accepted;" and which was read and accepted by the Senate.

The bill to repeal part of the second section of an act, passed in the year 1806, chapter 708, entitled an act to revise the militia laws of this State, being read the second time, Mr. Skinner moved that the further consideration of said bill be indefinitely postponed; which was not agreed to—ayes 22, noes 37. The ayes and noes being demanded by Mr. Vanhook, are as follows, to wit:

Those who voted in the affirmative, are Messrs. Boddie, Borden, Caldwell of Iredell, Dick,
Dickinson, Dobson, Hinton of Beaufort, Jones, Mathews, Meares, Mosely, Mushison, Newland, Spaight, Selby, Sherard, Skinner, Simmons, Sneed, Welch, Williams of Franklin, Williams of Martin.


And the bill was thereupon read the second time and passed.

The bill concerning the Superior and County Courts of the several counties within this State, was read the second time, and, on motion of Mr. Meares, the further consideration thereof was indefinitely postponed.

Received from the House of Commons a message, proposing that the two Houses ballot on to-morrow for a Judge of the Superior Courts of Law and Equity, to supply the vacancy occasioned by the resignation of W. P. Mangum, and stating that David L. Swain and Henry Seawell are in nomination for the appointment; which proposition was agreed to, and the House of Commons was informed thereof by message.

Received from the House of Commons a message, stating that they have passed the following engrossed bill and resolution, to wit: a bill to amend an act, passed in 1829, chapter 17th, entitled an act to provide for a division of negroes and other chattel property held in common; and a resolution concerning the purchasers of Cherokee lands; in which they ask the concurrence of the Senate. Whereupon the said mentioned bill was read the first time and passed, and the resolution being read, was, on motion of Mr. Ward, ordered to be laid upon the table.

On motion of Mr. Martin, the Senate resolved itself into a committee of the whole House, Mr. Hinton, of Wake, in the chair, to take into consideration the bill to establish a Bank on the funds of the State; and, after some time spent therein, the Speaker resumed the chair, and Mr. Hinton reported that the Senate had, according to order, had the said bill under consideration, and had made some progress therein; but not having sufficient time to go through the same, had instructed him to ask leave to sit again; and on the question, shall the committee have leave to sit again on the said bill? it was determined in the affirmative.

The bill to prevent the circulation of seditious publications and for other purposes, being read the second time, Mr. M'Kay moved to amend the bill by inserting after the word "State," in the fifth line of the first section, the words "with an intent to circulate:" which amendment was agreed to. Mr. Meares moved further to amend the bill by striking out the words "advise, persuade or," in the second line of the second section, and inserting the word "in," after the word "excite," in the third line of the same section; which amendment was agreed to. Mr. Meares moved further to amend the bill by striking out the word "to," in the fourth line of the same section, and inserting the words "a spirit of;" which amendment was also agreed to, and the bill, as amended, was read the second time and passed.

The bill to amend the several laws of this State concerning slaves and free persons of colour; and the bill to re-enact a part of the first section of an act, passed in the year 1787, chapter 11th, entitled an act for hiring out persons on indictment or presentment, not being able or willing
to pay the fees of office and jailor's fees, were read the second time and passed.

And the Senate then adjourned until to-morrow morning, 10 o'clock.

Saturday, December 11, 1830.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: a bill to amend an act, entitled "an act to prevent vice and immorality by declaring the offences therein contained to be the subject of indictment, passed in the year 1805;" a bill for the better regulation of the town of Williamson; and a bill to appoint commissioners for the town of Rockford, in the county of Surry, and to incorporate the same; in which they ask the concurrence of that House.

On motion of Mr. Montgomery, ordered that a message be sent to the House of Commons, stating that Patrick H. Winston is added to the nomination for a Judge of the Superior Courts of Law and Equity of this State.

A motion was made by Mr. Mathews to reconsider the vote taken on yesterday, on the proposition of the House of Commons to ballot on to-day for a Judge of the Superior Courts of Law and Equity; and on the question, will the Senate reconsider the said vote? it was decided in the affirmative. Whereupon, on motion of Mr. Askew, ordered that a message be sent to the House of Commons, stating that the Senate have reconsidered the vote taken on yesterday, on the proposition of that House to ballot for a Judge of the Superior Courts of Law and Equity, and do not agree thereto, but propose that the balloting take place on Tuesday next.

A motion was made by Mr. Hawkins, to reconsider the vote just taken on the reconsideration of the vote of yesterday, agreeing to ballot on to-day for a Judge of the Superior Courts of Law and Equity, and, on the motion of Mr. Askew to send a message to the House of Commons, informing that House of the reconsideration of the vote taken on their proposition to ballot on to-day, and proposing to ballot on Tuesday next, and on the question, will the Senate reconsider the said vote? it was decided in the affirmative—ayes 32, noes 28. The ayes and noes being demanded by Mr. Meares, are as follows, to wit:

Those who voted in the affirmative, are Messrs. Beasley, Blackwood, Boarden, Caldwell of Fredell, Crump, Davenport, Dick, Dobson, Gudger, Guinn, Hare, Hall, Harris, Hawkins, Hinton of Beaufort, Hinton of Wake, Hoke, Howell, Jones, Kerr, Lindsay, M'Daniel, M'Entire, M'Farland, Meares, Melchor, Moxey, Murchison, Newland, Ray, Simmons, Welch.


Whereupon a message was received from the House of Commons, stating that Messrs. Chesson and Gwynn attend the Senate as superintendents on the part of that House of the balloting for a Judge of the Superior Courts of Law and Equity as heretofore agreed upon; and Messrs. Newland and Boddie were appointed to conduct the balloting on the part of the Senate, and the House of Commons was informed thereof by message.

On motion of Mr. Wilson, ordered that Edward Ward, the Senator from the county of Onslow, have leave of absence from and after yesterday until Monday next.
Mr. Wilson presented the petition of Isabella Staton, of Edgecomb county, administratrix of Reading Staton, praying the Legislature to pass an act to release her from the payment of a fine imposed by the Superior Court of Law upon her said intestate. Mr. Wilson also presented a bill to carry the prayer of the petitioner into effect, entitled a bill vesting certain powers in the Court of Pleas and Quarter Sessions for Edgecomb county; which was read the first time and passed.

Mr. Montgomery presented the resignation of William Horner, Lieutenant Colonel of the first Orange regiment of North Carolina militia; and also the resignation of A. M'Cauley, a justice of the peace for the county of Orange; which were read and accepted and sent to the House of Commons.

Mr. Kerr presented the petition of George Prendergast, praying the passage of an act to alter the names, and legitimate certain persons therein mentioned. Mr. Kerr also presented a bill to carry the prayer of the petitioner into effect, entitled a bill to alter the names of Geo. W. Morrow, A. J. Morrow, Mary Morrow and Elizabeth Morrow, and to legitimate them; which was read the first time and passed.

Mr. Sneed presented the following resolutions, to wit:

Resolved, That the committee of Finance be instructed to examine into, settle and adjust the accounts of William Roberts, Esq. Public Treasurer, from the commencement of the current fiscal year, to the expiration of the term for which he was elected.

Resolved further, That the said committee, upon the settlement as required by the previous resolution being effected, be instructed to deliver over to Robert H. Burton, the Treasurer, the books, papers, property and effects which belong to the office of Public Treasurer, and to transfer and deliver to the said Treasurer the money and funds of the State so soon as his term of office shall commence, and he shall have given the bonds and taken the oath of qualification as required by law.

And the resolutions being read, the question on the adoption thereof was decided in the affirmative, and the resolutions were sent to the House of Commons for concurrence.

Mr. Williams, of Martin, from the committee on Propositions and Grievances, to whom was referred the petition of sundry persons of the county of Surry, made an unfavorable report thereon, recommending that the prayer of the said petitioners be rejected; in which report the Senate concurred.

Mr. Hinton, of Beaufort, from the committee on Internal Improvements, to whom was referred the bill to incorporate the Gates Canal Company, reported the same with sundry amendments; which were read and agreed to, and the bill was made the order of the day for Monday next.

Mr. Newland, from the committee appointed to conduct the balloting for a Judge of the Superior Courts of Law and Equity of this State, reported that David L. Swain having received a majority of the whole number of votes, is duly elected; in which report the Senate concurred.

On motion of Mr. M'Farland,

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of amending the present laws of this State, so as to compel all persons who have held or do now hold large entries or grants of land in this State, known as speculation land, as to compel said owners to run out and distinctly mark their corners and lines; and that they report by bill or otherwise.

Mr. Sneed presented the following resolution, to wit:

Resolved, That the committee of Finance inquire into the expediency of providing additional checks on the disbursements of the public monies; and that they report by bill or otherwise.

Which being read, Mr. Martin moved to amend it by adding the fol-
Mr. Tead by motion, words "provided gaming was amendment after the court," word and nomination, days they passed committee who reported it. Whereupon the said bill was ordered to be enrolled.

Mr. Perkins presented a bill to vest the right of electing constables, in the county of Camden, in the free white men thereof; which was read the first time and passed.

Mr. Williams, of Franklin, stated to the Senate that he had been requested to add to the nomination for Governor of the State the name of Hardy Flowers, of Edgecomb county; and Mr. Hawkins moved that the name of William Donnell, of Rockingham county, be also added to the nomination, and that a message be sent to the House of Commons informing them thereof.

Received from the House of Commons a message, stating that they have passed the following engrossed bills, to wit: A bill to amend an act, passed in the year 1829, entitled an act to authorise the Court of Pleas and Quarter Sessions of Burke county to appoint commissioners to run and lay off a turnpike road from the Lincoln line to Mull's mills, passing through the Laurel Gap of the South Mountain, and for other purposes; and a bill concerning the clerk of the Superior Court of the county of Currituck; in which they ask the concurrence of the Senate. Whereupon the said bills were read the first time and passed.

The bill to prevent slaves from attending muster or election grounds on the days of muster or election, being read the second time, on motion of Mr. M'Kay, ordered that the said bill be recommitted to the select committee who reported it.

The bill to prevent the gaming of slaves, and to prevent free persons from gaming with them, or suffering them to game in their houses, being read the second time, Mr. Newland moved to amend the bill by inserting after the word "court," in the fourteenth line of the second section, the words "provided said imprisonment shall not exceed six months;" which amendment was agreed to. Mr. M'Kay moved further to amend the bill by striking out the words "or Indian," in the fourth line of the same section. Mr. M'Kay moved further to amend the bill by inserting after the word "court," in the thirteenth line of the third section, the words "not exceeding six months." Mr. Dickinson moved further to amend the bill.
by inserting after the word "yard," in the fifth line of the same section, the word "field." Mr. M'Kay moved further to amend the bill by striking out the words "or any game whatsoever," wherever they occur. Mr. M'Kay moved further to amend the bill by striking out the word "billiards," wherever it occurs. And Mr. Askew moved further to amend the bill by adding the following as an additional section, to wit: "And be it further enacted, that the above recited act shall not go into operation till the 10th day of May next;" which several amendments were agreed to, and the bill, as amended, was read the second time and passed.

And then the Senate adjourned until Monday morning, 10 o'clock.

MONDAY, DECEMBER 13, 1830.

On motion of Mr. Martin, ordered that a message be sent to the House of Commons, stating that the name of Richard Dobbs Spaight is added to the nomination for Governor of the State.

Received from the House of Commons a message, stating that Messrs. M'Millan and Harper attend the Senate to superintend the balloting on the part of that House for Governor of the State for the ensuing year, and informing that the name of Richard D. Spaight is added to the nomination. Whereupon Messrs. Hare and Crump were appointed to conduct the balloting on the part of the Senate, and the House of Commons was informed thereof by message.

Mr. Guinn presented the following preamble and resolution, to wit:

Whereas the Legislature in the year 1819 passed a law authorising the commissioners to survey and sell the Cherokee lands; and they were further authorised and empowered to set apart four hundred acres of said land for a town site and county uses:

Be it therefore resolved, That there be a select committee appointed, consisting of five members, to inquire into the propriety and expediency of the State relieving the citizens of Macon county of a heavy tax, by relinquishing her right unto them of that part of the four hundred acres of land that remain unsold and reserved by the commissioners, in the year 1819, for the use of the public buildings; and that they report by bill or otherwise.

And the question being taken on the adoption of the said resolution, it was determined in the affirmative.

Mr. Williams, of Franklin, presented the following preamble and resolution, to wit:

Whereas ballottings are often had in consequence of blank votes given to persons not in nomination: for remedy whereof,

Resolved, As the opinion of this Legislature, that votes that are blank, or votes that are given to no person in nomination, be considered as absent members; and that a message be sent to the House of Commons, asking their concurrence.

And the question being taken on the adoption thereof, it was decided in the negative.

On motion of Mr. McFarland,

Resolved, That the committee on Education and Primary Schools be instructed to inquire into the present situation of the Literary Fund, as to the amount of said fund, how invested, and the time of investment, the amount of cash on hand; and as to the propriety of loaming any part of said fund to the Trustees of the University; and also as to the propriety of appropriating to said fund any stock or funds of the State, which are not set apart for any specific object, in order speedily to carry into effect the laudable purpose for which it was intended; that they report the same to the Legislature.

On motion of Mr. Moye,

Resolved, That the committee on Internal Improvement be instructed to inquire into the expediency of appropriating a certain sum of money by them to be designated, out of the fund set apart for Internal Improvement, for the purpose of improving the navigation of Great Centennial creek, from its mouth to Stauntonsburg; and that they report by bill or otherwise.

Mr. M'Kay presented a bill to prohibit the circulation in this State, after the time therein mentioned, of Bank notes under five dollars. issued by,
The Banks of other States. Mr. M'Kay also presented a bill declaring that the repeal of a statute shall not affect suits brought before the repeal. Which bills were read the first time and passed.

Mr. Hinton, of Beaufort, presented a bill to amend an act, passed at the last session, entitled an act for the better regulation of the town of Washington, and for other purposes; which was read the first time and passed.

Mr. Wilson presented a bill concerning corporations; which was read the first time and passed, and, on motion of Mr. Martin, ordered to be printed, one copy for each member of the Legislature, and be laid upon the table.

Mr. Hare, from the committee appointed to conduct the balloting for Governor of the State, reported that no person in nomination had received a majority of votes; in which report the Senate concurred. Whereupon, on motion of Mr. Mathews, ordered that a message be sent to the House of Commons, proposing to ballot again immediately for Governor of the State.

Received from the House of Commons a message, stating that they have passed the following engrossed bills, to wit: a bill to explain and amend an act, entitled an act to provide a revenue for the payment of the civil list and contingent charges of government, passed in the year 1822, so far as respects exhibitions of artificial curiosities; a bill to regulate the time of holding the Superior Courts of Law and Equity for the counties of Moore, Montgomery and Anson; and a bill to prevent obstructing the passage of fish up the Pedee and Main Yadkin rivers; in which they ask the concurrence of the Senate. Whereupon the said bills were severally read the first time and passed.

On motion of Mr. Newland, ordered that the bill to erect out of a portion of the counties of Burke and Buncombe a separate and distinct county, by the name of Yancey, be committed to a committee of the whole House, and made the order of the day for to-morrow.

Mr. Montgomery, from the committee appointed to examine into and report the amount of dividends and bonuses, declared by the Banks of Newbern and Cape Fear and the State Bank, from the year 1810 up to 1830, made a verbal report, accompanied by sundry exhibits from said Banks furnishing the information required; which were ordered to be laid on the table, and be printed, one copy for each member of the Legislature.

Received from the House of Commons a message, stating their agreement to ballot again immediately for Governor, and informing that Messrs. Foy and A. W. Wooten attend the Senate to conduct the balloting; and stating further that the name of Hardy Flowers is withdrawn from the nomination. Whereupon Messrs. Skinner and Montgomery were appointed to conduct the balloting on the part of the Senate, and a message was sent to the House of Commons, informing them thereof, and stating that the name of William Donnell is also withdrawn from the nomination.

On motion of Mr. Martin, the Senate resolved itself into a committee of the whole, Mr. Hinton, of Wake, in the chair, to take into consideration the bill to establish a Bank on the funds of the State; and, after some time spent therein, the Speaker resumed the chair, and Mr. Hinton re-
ported that the committee of the whole, had, according to order, had the said bill under consideration, and made some progress therein, but not having sufficient time to go through the same, had instructed him to ask leave to sit again; and on the question, shall the committee have leave to sit again on the said bill? it was determined in the affirmative.

Mr. Montgomery, from the committee appointed to conduct the balloting for a Governor of the State, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred.

The engrossed bill for the more perfect administration of justice in capital cases being read the second time, Mr. Meares moved to amend the bill by inserting after the word “for,” in the ninth line of the first section, the words “the purpose of finishing the trial and;” which amendment was agreed to, and the bill, as amended, was read the second time and passed.

The bill to amend a part of the fourth section of an act, passed in the year 1822, entitled an act to provide a revenue for the payment of the civil list and contingent charges of government, was read the second time, and resolved that the same shall not pass.

On motion of Mr. Hinton, of Wake, ordered that the engrossed bill to amend an act, passed in 1829, chapter 17th, entitled an act to provide for a division of negroes and other chattel property held in common, be referred to the committee on the Judiciary.

The bill to incorporate the Gates Canal Company being read the second time, Mr. Cowper moved to amend the bill in the fifteenth section, by striking out all thereof, from the word “company” to the word “from,” and inserting the following: “shall be required to afford a good and safe navigation of three feet water throughout the entire extent of said canal;” which amendment was agreed to. Mr. Cowper moved further to amend the bill by adding the following as an additional section, to wit: “Be it further enacted, that nothing contained in this act shall be so construed as to deprive the Legislature of the power of altering or amending the same or any part thereof, not interfering with vested rights;” and Mr. M’Kay moved to amend the amendment by striking out the words “not interfering with vested rights;” which amendment was agreed to, and the amendment, as amended, was adopted, and the bill, as amended, was read the second time and passed.

And then the Senate adjourned until to-morrow morning, 10 o’clock.

TUESDAY, DECEMBER 14, 1830.

On motion of Mr. Hinton, of Beaufort, ordered that a message be sent to the House of Commons, stating that the name of Jesse Speight is withdrawn from the nomination for Governor of the State.

On motion of Mr. Newland, ordered that a message be sent to the House of Commons, proposing to ballot on Thursday next for Major General of the 5th Division of North Carolina militia, and stating that Athen A. M’Dowell is in nomination for the appointment.

Mr. Meares presented the petition of sundry citizens of the county of New Hanover, Sampson, Bladen, and Duplin, praying the passage of an act for the better organization of the militia in the aforesaid counties, so as more effectually to protect the property of individuals against the
depredations of runaway slaves, &c. On motion of Mr. Meares, ordered that the said petition be referred to the committee on so much of the Governor's message as relates to slaves, and the situation of free persons of colour.

Mr. Meares, from the committee on the Judiciary, to whom was referred the resolution instructing them to inquire what amendments are necessary to the existing law as to the priority of entries of vacant lands, &c. made an unfavorable report thereon, and asked to be discharged from the further consideration of the subject; in which report the Senate concurred, and the committee was discharged accordingly.

Mr. Meares, from the same committee, to whom was referred the resolution instructing them to inquire into the expediency of compelling persons owning large grants of lands, known as speculation lands, to survey and mark the same, made an unfavorable report thereon, and asked to be discharged from the further consideration of the subject; in which report the Senate concurred, and the committee was discharged accordingly.

Mr. Meares, from the same committee, to whom was referred the resolution instructing them to inquire into the expediency of requiring by law executors to give security for their faithful administration, made an unfavorable report thereon, and asking to be discharged from the further consideration of the subject; in which report the Senate concurred, and the committee was discharged accordingly.

Mr. Meares, from the same committee, to whom was referred the resolution instructing them to inquire into the expediency of amending the law relative to slaves offering violence to white persons, made an unfavorable report thereon, and asking to be discharged from the further consideration of the subject; in which report the Senate concurred, and the committee was discharged accordingly.

Received from the House of Commons a message, proposing to ballot again immediately for Governor of the State; which proposition was agreed to, and Messrs. Dobson and Howell were appointed to conduct the balloting on the part of the Senate, and the House of Commons was informed thereof by message. Whereupon a message was received from the House of Commons, stating that Messrs. Powell and Lawson are appointed to conduct the balloting on their part.

Mr. Ward, from the committee on Military Affairs, to whom was referred the resolution inquiring into the expediency of distributing a portion of the public arms among the several counties within the State, made a report thereon, accompanied by a bill, entitled a bill concerning the distribution of the public arms to the police authorities, and to provide in case of invasion or insurrection; which was read the first time and passed.

On motion of Mr. Cowper,
Resolved, That Thursday evening next be set apart for the purpose of recommending justices of the peace and militia officers in the different counties within this State, and that the House of Commons be informed thereof by message.

Mr. Sneed presented the following resolution, to wit:
Resolved, That the committee of Finance be authorised to employ a clerk to make a list of the bonds in the Treasurer's office, for purchases of the Cherokee lands, the Tuscarora lands and property belonging to the estate of the late John Haywood, Esq. to be delivered over to the Treasurer elect.

Which was read and adopted, and ordered to be engrossed.
On motion of Mr. Mathews.
Resolved, That the committee of Finance inquire into the expediency of providing by law for the collection and accounting for the public taxes at an earlier period than that now prescribed by law, and that the committee report by bill or otherwise.

Mr. Dick presented a bill to provide for the securing and collecting of debts in certain cases therein mentioned; which was read the first time and passed.

Mr. Dobson, from the committee appointed to conduct the balloting for Governor of the State, reported that no person in nomination had received a majority of votes; in which report the Senate concurred.

The bill to repeal part of the second section of an act, passed in the year 1806, chapter 708, entitled an act to revise the militia laws of this State, being read the third time, Mr. M'Kay moved to strike out the whole thereof except the enacting clause, and to insert in lieu thereof a substitute; which being read, Mr. Dick moved to lay the bill and substitute on the table; which was not agreed to. Mr. Montgomery moved to amend the substitute by adding the following as an additional section, to wit: "Be it further enacted, that all persons claiming exemption from military duty under this act, shall be enrolled and kept on the muster roll, and returned with the returns of the militia to the Adjutant General;" which amendment was agreed to. Mr. M'Kay moved further to amend the substitute by inserting after the word "therefrom," in the sixth line of the first section, the words "except in case of insurrection or invasion;" which amendment was agreed to. Mr. M'Kay moved further to amend the bill by striking out the whole of the third section after the word "taxes," in the fifth line, and to insert at the end of the second section the following, to wit: "and to give such person a certificate of that fact, and of his consequent exemption from military duty;" which amendment was agreed to. Mr. M'Kay moved further to amend the substitute by filling the blank; in the last line with the word "August;" which amendment was also agreed to, and the substitute, as amended, was read and adopted; and the bill, as amended, was read the third time and passed—ayes 43, noes 16. The ayes and noes being demanded by Mr. Dick, are as follows, to wit:


Those who voted in the negative, are Messrs. Barnes, Beasly, Borden, Caldwell of J. Dick, Dickinson, Hare, Jones, Marchison, Newland, Sherard, Simmon, Skinner, Ward, Welch, Williams of M.

Whereupon the said bill was ordered to be engrossed.

Received from the House of Commons a message, proposing another balloting for Governor of the State; which proposition was agreed to, and Messrs. Gudger and Lindsay appointed to conduct the balloting on the part of the Senate, and the House of Commons was informed thereof by message. Whereupon a message was received from the House of Commons, stating that Messrs. Purcell and Walker attend the Senate to conduct the balloting on their part, and informing that the name of James J. M'Kay, of Bladen, is added to the nomination.

The resolution in favor of James Manney being read the second time, Mr. Mathews moved that the further consideration thereof be postponed indefinitely; which was not agreed to—ayes 29, noes 29—the Speaker voting in the negative. The ayes and noes being demanded by Mr. Mathews, are as follows, to wit:

Those who voted in the negative, are Messrs. Askew, Barnes, Boddie, Borden, Cowper, Dick, Dickinson, Dolsen, Gunnu, Hare, Hall, Hinton of B. Hinton of W. Howell, Kerr, Lindsay, M‘Daniel, M‘Farland, Meares, Money, Moye, Mutchison, Newland, Perkins, Selby, Sherar, Sneed, Ward, Williams of E.

Mr. Hinton, of Beaufort, moved to amend the resolution by inserting after the word “mentioned,” the following: “with interest thereon until such payment shall have been made:” which amendment was agreed to.

Mr. Dickinson moved further to amend the resolution by adding the following as an additional one, to wit: “Resolved, that the foregoing payment shall not be paid until an equal sum is collected in tolls from that Canal.” On motion of Mr. Montgomery, ordered that the further consideration of the resolution and amendment be postponed until Thursday next.

Mr. Gudger, from the committee appointed to conduct the balloting for Governor, reported that no person in nomination had received a majority of votes; in which report the Senate concurred.

Received from the House of Commons a message, proposing to ballot again for Governor; which was read, and, on motion of Mr. Wilson, ordered to be laid upon the table.

And then the Senate adjourned until to-morrow morning, 10 o’clock.

Wednesday, December 15, 1830.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill to repeal part of the second section of an act, passed in the year 1806, chapter 708, entitled an act to revise the militia laws of this State; also the engrossed resolution authorising the committee of Finance to employ a clerk; in which they ask the concurrence of that House.

Mr. Meares, from the committee on the Judiciary, to whom was referred a resolution, instructing them to inquire into the expediency of appointing a standing Board of Auditors in each county in this State, to pass upon all accounts of executors, administrators and guardians, made a favourable report thereon, accompanied by a bill to provide for the final settlement of executors and administrators; which was read the first time and passed, and, on motion of Mr. Wilson, ordered to be printed, one copy for each member of the Senate.

Mr. Williams, of Martin, from the committee on Propositions and Grievances, to whom was recommitted the report from the same committee on the petition of David Scarborough and others, with instructions to report whether the said petitioners had accounted for, and paid into the Treasury the amount of taxes on unlisted property for the year 1820, in the county of Greene, reported that the taxes had not been paid into the Treasury by the petitioners aforesaid. Mr. Williams, of Martin, also reported the following resolution, to wit:

Resolved, That the Treasurer pay to David Scarborough, Thomas Hooker, administrator to Hymerick Hooker, Nathan Hooker and Henry Miller, administrators of William Hooker, deceased, the sum of one hundred and sixty two dollars and two cents, part of a judgment, which the said David Scarborough, Wm. Hooker and Hymerick Hooker paid as the securities of James Eastwood, sheriff of Greene county, for the costs and expenses incurred by the said Eastwo.
for not settling his public tax within the time prescribed by law, and the same be allowed the Public Treasurer in the settlement of his accounts.

Which was read the first time and passed.

Mr. Sneed, from the committee on Finance, to whom was referred the resolution instructing them to inquire what alteration is necessary to be made in the law authorising the Courts of Pleas and Quarter Sessions to grant licenses to persons to retail spirituous liquors; also a memorial of sundry inhabitants of the county of Duplin upon the same subject, made a report thereon, stating that in their opinion it is inexpedient to alter the law in relation to the subject referred to them, and ask to be discharged from the further consideration of the subject; in which report the Senate concurred; and the committee was discharged accordingly.

Mr. Hinton, of Beaufort, from the select committee on Internal Improvements, to whom was referred the resolution instructing them to inquire into the expediency of forming a rail road from the town of Fayetteville, through Campbellton, to the Cape Fear river, made a report thereon, expressing the opinion that the finances of the State would not justify such an undertaking at the present time, and ask to be discharged from the further consideration of the subject. On motion of Mr. M'Farland, ordered that the said report be laid upon the table.

On motion of Mr. Wilson, ordered that a message be sent to the House of Commons, proposing to ballot again immediately for Governor of the State.

Mr. M'Kay presented a bill, regulating the making and maintaining partition fences in certain cases; which was read the first time and passed.

Mr. Selby presented a bill to incorporate the Mattamuskeet Canal and Road Company; which was read the first time and passed, and, on motion of Mr. Selby, ordered to be referred to the committee on Internal Improvements.

Mr. M'Neill presented a bill giving to the Superior Court of the county of Moore original and exclusive jurisdiction in all cases where the intervention of a jury is necessary; which was read the first time and passed.

Mr. Dick presented a bill to exempt Bibles from execution; which was read the first time and passed.

Mr. M'Farland presented a bill to incorporate the Fayetteville Rail Road Company; which was read the first time and passed, and, on motion of Mr. M'Farland, ordered to be laid upon the table.

On motion of Mr. Meares, the Senate resolved itself into a committee of the Whole House, Mr. Hinton, of Wake, in the chair, to take into consideration the bill to establish a bank on the funds of the State; and, after some time spent therein, the Speaker resumed the chair, and Mr. Hinton, of Wake, reported that the committee of the whole had, according to order, had the said bill under consideration, and made some progress therein; and not having sufficient time to go through the same, had directed him to ask leave to sit again on to-morrow; and on the question, shall the committee have leave to sit again on to-morrow on the said bill? it was decided in the affirmative.

Received from the House of Commons a message, agreeing to ballot again immediately for Governor, and stating that Messrs. Singleton and Loretz are appointed to conduct the balloting on the part of that House. Whereupon Messrs. Harris and M'Daniel were appointed to conduct the
balloting on the part of the Senate, and the House of Commons was informed thereof by message.

On motion of Mr. Newland, the Senate resolved itself into a committee of the Whole House, Mr. Wilson in the chair, to take into consideration the bill to erect out of a portion of the counties of Burke and Buncombe, a separate and distinct county, by the name of Yancy; and, after some time spent therein, the Speaker resumed the chair, and Mr. Wilson reported that the committee of the whole had, according to order, had the said bill under consideration, and had made some progress therein; and not having sufficient time to go through the same, had instructed him to ask leave to sit again; and on the question, shall the committee have leave to sit again on the said bill? it was decided in the affirmative.

The bill to make husbands after the determination of coverture liable to the payment of the debts of their wives, contracted before marriage, being read the second time, Mr. Meares moved to amend the bill by inserting after the word "continuance," in the seventh line of the first section, the following words, to wit: "so far as they may have received any estate of the deceased wife by virtue of the marriage;" which amendment was agreed to, and the bill, as amended, was read the second time and passed.

Mr. M'Daniel, from the committee appointed to conduct the balloting for Governor, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred.

Received from the House of Commons a message, proposing to ballot again immediately for Governor; which proposition was agreed to, and Messrs. Beasly and Brower appointed to superintend the balloting on the part of the Senate, and the House of Commons was informed thereof by message. Whereupon a message was received from the House of Commons, stating that Messrs. Stephens and Clemmons are appointed to conduct the balloting on their part.

The engrossed bill to explain and amend an act, entitled an act to provide a revenue for the payment of the civil list and contingent charges of Government, passed in the year 1822, so far as it respects exhibitions of artificial curiosities, was read the second time and passed.

And then the Senate adjourned until 4 o'clock this afternoon.

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WEDNESDAY AFTERNOON, 4 O'CLOCK.

Received from the House of Commons a message, stating that they have passed the following engrossed bills, to wit: A bill to amend the fourth section of an act, passed in 1818, chapter 94, appointing trustees for the Trenton Academy in the county of Jones; a bill to amend an act, passed in the year 1824, entitled an act to appoint commissioners for the town of Clemmons ville in Davidson county; and a bill to incorporate the Winton Ferry Company on Chowan river, between Bertford and Gates counties; in which they ask the concurrence of the Senate. Whereupon the said bills were severally read the first time and passed.

The engrossed bill to amend the fourth section of an act, passed in 1818, chapter 94, appointing trustees for the Trenton Academy in the county of Jones, was read the second and third times and passed, and ordered to be enrolled.

The engrossed bill to amend an act, passed in the year 1824, entitled an act to appoint commissioners for the town of Clemmons ville in Davidson county...
county, being read the second time, Mr. Harris moved to amend the bill by striking out the word "six," and insert the word "twenty-five," in the eighth line of the first section; which amendment was agreed to, and the bill, as amended, was read the second and third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendment.

The engrossed bill to incorporate the Winton Ferry Company, being read the second time, Mr. Williams, of Franklin, moved to amend the bill by striking out the words "no more," in the fifth and sixth line of the fourth section; which amendment was agreed to, and, on motion of Mr. Barnes, the further consideration of the bill was postponed until to-morrow.

The bill to incorporate a light infantry company in the town of Greenville, was read the third time and passed, and ordered to be engrossed.

The bill to vest the right of electing constables, in the county of Camden, in the free white men thereof, was read the second time, and resolved that the same shall not pass.

The engrossed bill concerning the clerk of the Superior Court of the county of Currituck, was read the second time, and, on motion of Mr. Sherard, ordered to be laid upon the table.

Received from the House of Commons the resignation of William Osborne and Samuel Henderson, of the county of Mecklenburg, and Luke R. Simmons, of the county of Columbus, justices of the peace for their respective counties; also the resignation of George Walk, Colonel Commandant, and Peter Owen, Major of the first regiment of Davidson county militia, endorsed in that House "read and accepted;" and which were severally read and accepted by the Senate.

The engrossed bill to amend an act, passed in the year 1829, entitled an act to authorize the Court of Pleas and Quarter Sessions of Burke county to appoint commissioners to view and lay off a turnpike road from the Lincoln line to Mull's mill, passing through the Laurel Gap of the South Mountain, and for other purposes, being read the second time, Mr. Hoke moved to amend the bill by striking out the word "seven," in the eighth line of the first section, and inserting the word "fifteen;" which amendment was agreed to, and the bill, as amended, was read the second and third times and passed, and a message was sent to the House of Commons, asking their concurrence to the amendments.

The engrossed bill to regulate the time of holding the Superior Courts of Law and Equity in the counties of Moore, Montgomery and Anson, being read the second time, Mr. M'Kay moved to amend the bill by adding the following as an additional section, to wit: "Be it enacted, that this act shall continue in force for three years and no longer;" which amendment was agreed to, and the bill, as amended, was read the second and third times and passed, and a message sent to the House of Commons, asking their concurrence to the amendments.

On motion of Mr. Montgomery,

Resolved, That the Select Committee of this House be instructed to inquire into and report the amount of profits made by the several banks in this State; inquire into and report the amount of profits made by the State on the shares held by her in the several banks, and the amount paid by the State for said shares, and report to this House.

And then the Senate adjourned until to-morrow morning, 10 o'clock.
THURSDAY, DECEMBER 16, 1830.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: A bill to alter the name of George W. Morrow, Andrew J. Morrow, Mary Morrow and Elizabeth Morrow, of Caswell county, and legitimate them; and a bill to incorporate a company of light infantry in the town of Greenville; in which they ask the concurrence of that House.

Mr. Beasly, from the committee appointed to conduct the balloting for Governor of the State, reported that no person in nomination had received a majority of votes; in which report the Senate concurred.

On motion of Mr. Hare, ordered that a message be sent to the House of Commons, proposing to ballot again immediately for Governor of the State.

Mr. Dick presented the resignation of James A. Millis, Major of the second regiment of Guilford county militia; which was read and accepted, and sent to the House of Commons.

Received from the House of Commons a message, stating that they have postponed indefinitely the engrossed bill to authorise Courts of Justice to regulate the proceedings thereof.

Received also from the House of Commons a message, proposing to ballot immediately for Governor, and stating that the name of Cadwallader Jones is added to the nomination; which proposition was agreed to, and Messrs. Mathews and Ramsey appointed to conduct the balloting on the part of the Senate, and the House of Commons was informed thereof by message. Whereupon a message was received from the House of Commons, stating that Messrs. Bell and Sykes attend the Senate to conduct the balloting on their part, and informing that the name of James J. M'Kay is withdrawn from the nomination.

Mr. Guinn presented a bill concerning strays in the county of Macon; which was read the first time and passed, and being read the second time, Mr. Newland moved to amend it by striking out the following words, viz. "who now have or hereafter may settle on and improve any of the unsold land in the county of Macon, and all those;" which amendment was not agreed to, and the bill was read the second and third times and passed, and ordered to be engrossed.

Received from the House of Commons a message, stating that Messrs. Mullen and Flowers attend the Senate to conduct the balloting for Major General of the 5th division of militia, as heretofore agreed on, and stating that Solomon Graves is added to the nomination. Whereupon Messrs. Dobson and Beasly were appointed to superintend the balloting on the part of the Senate, and the House of Commons was informed thereof by message.

Mr. Mathews, from the committee appointed to superintend the balloting for Governor, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred.

Mr. Hinton, of Beaufort, presented a bill to incorporate an Academy in the town of Bath, in Beaufort county; which was read the first, second and third times and passed, and ordered to be engrossed.

Received from the House of Commons a message, proposing to ballot again immediately for Governor; which proposition was agreed to, and Messrs. Davenport and Ray were appointed to conduct the balloting on the
part of the Senate, and the House of Commons was informed thereof by message. Whereupon a message was received from the House of Commons, stating that Messrs. Watts and Jarvis are appointed to conduct the balloting on their part.

Mr. Matthews presented a bill to protect seine places on Roanoke river; which was read the first, second and third times and passed, and ordered to be engrossed.

The resolution in favor of the legal representative of the late Chief Justice Taylor, being read the second time, Mr. Snead moved to amend the resolution by striking out the whole thereof, except the word "resolved," and insert the following, viz: "that the Public Treasurer be and is hereby directed to pay to the legal representative of the late Chief Justice Taylor, instead of the sums specified in a resolution, passed at the last session of the General Assembly, the sum of three hundred and sixty-nine dollars and forty-five cents, in full of a balance of salary due the said Chief Justice.

"Resolved further, That the Treasurer cancel and deliver over to the legal representative aforesaid, three bonds given by his intestate for purchases of the property of the late John Haywood, Esquire, for the several sums of $15 3s., $15 3s., and $15 3s." "Resolved further, That the Comptroller credit the Public Treasurer for the sum directed to be paid by this resolution."

Which amendment was agreed to, and the resolution, as amended, was read the second and third times and passed, and ordered to be engrossed.

Mr. Dobson, from the committee appointed to conduct the balloting for Major General of the 5th division of North Carolina militia, reported that Athan A. M'Dowell having received a majority of the whole number of votes, is duly elected; in which report the Senate concurred.

The engrossed bill to prevent obstructing the passage of fish up the Pedee and Main Yadkin rivers, being read the second time, Mr. Martin moved to amend the bill by striking out the word "February," in the fifth line of the first section, and inserting the word "May," which amendment was not agreed to. Mr. Jones moved further to amend the bill by inserting after the word "weir," in the fourth line of the first section, the word "trap," which amendment was agreed to. Mr. Jones moved further to amend the bill by striking out the words "Shallow ford," in the seventh line of the same section, and inserting the words "mouth of Buffaloe, in Wilkes county;" which amendment was also agreed to. Mr. Jones moved further to amend the bill by inserting after the words "deepest part," in the eighth line of the same section, the words "of the main channel." Mr. Jones moved further to amend the bill by inserting after the word "Rowan," in the third line of the third section, the words "Wilkes, Surry;" which amendments were also agreed to, and the bill, as amended, was read the second time and passed.

The resolution in favor of the securities of James Eastwood, late sheriff of Greene county, was read the second and third times and passed, and ordered to be engrossed.

On motion of Mr. Dick, ordered that Benjamin S. Brittain have leave to withdraw from the files of the Senate, the papers in relation to the contested election of James W. Guinn, the Senator from the county of Macon.

Mr. Davenport, from the committee appointed to conduct the balloting for Governor, reported that no person in nomination had received a majority of votes; in which report the Senate concurred.
On motion of M. Hawkins, ordered that a message be sent to the House of Commons, proposing to ballot again immediately for Governor of the State.

The engrossed resolution concerning the purchasers of Cherokee lands, being read the second time, Mr. M'Kay moved to amend the resolution by striking out the whole thereof, except the word "resolved," and insert the following, viz. "that the Public Treasurer be instructed to receive in deposite the notes of the chartered Banks of South Carolina and Georgia, whenever offered in payment of any bond given for lands purchased in the counties of Macon or Haywood, commonly called Cherokee lands, and that so far as he can pay out of the Treasury such notes on payment of the expenses of the State at a par value, he shall give credit for the same at a par value; but that whenever the Treasurer shall be compelled to pass off said notes at a less price than the par value, or may incur any expense in exchanging such notes for the current notes of this State, such loss shall be sustained by the depositor, and no more shall be credited on such bond than the real value of the notes deposited;" which amendment was agreed to, and the resolution, as amended, was read the second time and passed.

Received from the House of Commons a message, agreeing to the proposition of the Senate that this evening should be set apart by the two Houses for the appointment of militia officers and justices of the peace.

And then the Senate adjourned until this evening, 4 o'clock.

THURSDAY EVENING, 4 o'clock.

Mr. Melchor presented the resignation of John C. Barnhardt, a justice of the peace for the county of Cabarrus; which was read and accepted, and sent to the House of Commons.

Received from the House of Commons a message, stating that they have passed the following engrossed bill, to wit: a bill to establish the town of Gatesville, in the county of Gates, and to incorporate the same, and for other purposes; in which they ask the concurrence of the Senate. Whereupon the said bill was read the first, second and third times and passed, and ordered to be enrolled.

Received from the House of Commons a message, stating that they have passed the engrossed bill to reduce the number of jurors to lay off roads in the county of Macon to five freeholders, with an amendment, to wit: by extending the provisions of the bill to the county of Haywood, and making the title of the bill correspond thereto; which amendment was not agreed to, and the House of Commons informed thereof by message.

Received from the House of Commons a message, stating that they have postponed indefinitely the engrossed bill to authorise and direct the Supreme Court to be held in the several places therein directed.

Received from the House of Commons a message, stating that they agree to the proposition of the Senate to ballot again immediately for Governor of the State, and stating that Messrs. Samuel Whitaker and Cooper attend the Senate to superintend the balloting on the part of that House, and stating further that the name of Cadwallader Jones is withdrawn from the nomination. Mr. Hinton, of Wake, moved to lay the message on the table, and a discussion arising thereon, on motion of Mr. Raddie, the Senate adjourned until to-morrow morning, 10 o'clock.
FRIDAY, DECEMBER 17, 1850.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills and resolutions, to wit: a bill concerning strays in the county of Macon; a bill to protect seine places on Roanoke river; a bill to incorporate an Academy in the town of Bath, in the county of Beaufort; a resolution in favor of the legal representative of the late Chief Justice Tayor; and a resolution in favor of the securities of James Eastwood, former sheriff of Greene county; in which they ask the concurrence of that House.

Mr. Newland presented the memorial of sundry citizens of the county of Burke, praying the passage of an act to create a Medical Board in this State; which, on motion of Mr. Newland, was ordered to be referred to a select committee.

Mr. Boddie presented the petition of William Roane, of the county of Nash, praying the Legislature to refund to him certain costs incurred by him in defending a prosecution in behalf of the State against himself, lately decided in Nash Superior Court of Law. On motion of Mr. Boddie, ordered that the said petition, with the accompanying documents, be referred to the committee on Propositions and Grievances.

Mr. Hill presented the resignation of John Moore, a justice of the peace for the county of Stokes; which was read and accepted, and sent to the House of Commons.

Mr. Lindsay presented the resignation of J. E. Sawyer, a justice of the peace for the county of Currituck, and the resignation of Joshua Baxter, Lieutenant Colonel of the first regiment of North Carolina militia, for the county of Currituck; which were read and accepted, and sent to the House of Commons.

Received from the House of Commons a message, proposing to ballot immediately for a Governor of the State; which proposition was agreed to, and Messrs. Sherard and Hawkins were appointed to conduct the balloting on the part of the Senate, and the House of Commons was informed thereof by message. Whereupon a message was received from the House of Commons, stating that Messrs. J. Whitaker and Cooper attend the Senate to conduct the balloting on their part.

Mr. M'Neill presented the following resolution, to wit:

Resolved, That the Public Treasurer be directed to refund to Peter Sinclair the sum of six dollars, paid into the Treasury by mistake, and that he be allowed the same in the settlement of his public accounts.

Which was read the first time and passed, and, on motion of Mr. M'Neill, ordered to be referred, together with the accompanying document, to the committee of Claims.

On motion of Mr. Gudger, the Senate resolved itself into a committee of the whole House, Mr. Wilson in the chair, to take into consideration the bill to erect out of a portion of the counties of Burke and Buncombe, a separate and distinct county by the name of Yancey; and, after some time spent therein, the Speaker resumed the chair, and Mr. Wilson reported that the committee of the whole had, according to order, had the said bill under consideration, and had made some progress therein; but not having sufficient time to go through the same, had instructed him to ask leave to sit again, and on the question, shall the committee have leave to sit again on the said bill? it was decided in the affirmative.

Mr. Sherard, from the committee appointed to conduct the balloting for
Governor, reported that Montfort Stokes having received a majority of the whole number of votes, is duly elected; in which report the Senate concurred.

On motion of Mr. Mathews, ordered that a message be sent to the House of Commons, proposing to raise a joint select committee of two members from each House, to wait upon the Governor elect, and inform him of his election, and to ascertain at what time it will be convenient for him to attend the Legislature for the purpose of taking the necessary oaths for his qualification. Ordered that Messrs. Mathews and Hinton, of Beaufort, form the said committee on the part of the Senate.

On motion of Mr. Martin, the Senate resolved itself into a committee of the whole House, Mr. Hinton, of Wake, in the chair, to take into consideration the bill to establish a Bank on the funds of the State; and, after some time spent therein, the Speaker resumed the chair, and Mr. Hinton reported that the committee of the whole had, according to order, had the said bill under consideration, and had made some progress therein; but not having sufficient time to go through the same, had instructed him to ask leave to sit again on Monday next, and on the question, shall the committee have leave to sit again on Monday next on the said bill? it was decided in the affirmative.

A message was received from the House of Commons, agreeing to the proposition of the Senate to appoint a joint select committee to wait upon the Governor elect, and inform him of his election, and stating Messrs. Wm. J. Alexander and Thomas Nicholson are appointed to form said committee on the part of that House.

Mr. Sneed presented to the Senate a communication from Robert H. Burton, Treasurer elect, declining to accept the said appointment; which was read, and, on motion of Mr. Sneed, ordered to be transmitted to the House of Commons, with a proposition that the two Houses proceed to ballot for a Treasurer on Monday next.

Mr. Mathews, from the committee appointed to wait upon the Governor elect, to inform him of his election, and to ascertain what time it would be convenient for him to attend and take the oaths of qualification, reported that the committee was authorised to state that he would attend the two Houses for that purpose on to-morrow at 12 o'clock.

Mr. Montgomery, from the select committee appointed to inquire into and report the amount of dividends and bonuses received by the State on the shares held by her in the several banks, also the amount of shares held by the State in the several banks, and the costs of said shares, made a report, accompanied by a statement from the Treasury Department, embracing the information called for, which, on motion of Mr. Montgomery, was ordered to be printed, one copy for each member of the Legislature.

A motion was made by Mr. Hinton, of Beaufort, to reconsider the vote taken on yesterday on the amendment proposed by Mr. M’Kay to the engrossed resolution concerning the purchasers of Cherokee lands, and on the question, will the Senate reconsider the said vote? it was decided in the affirmative.

And then the Senate adjourned until to-morrow morning, 10 o'clock.

Saturday, December 18, 1830.

Messrs. Askew, M'Entire, Montgomery, Newland and Boddie were ap-
pointed to form the select committee on the memorial from the citizens of Burke county, relative to the creation of a Medical Board; and Messrs. Guinn, Welch, Gadger, Jennings and Cowper were appointed to form the select committee on Mr. Guinn's resolution to inquire into the expediency of relinquishing the claim of the State to a certain portion of the four hundred acres of land reserved for a town site in the county of Macon.

Mr. Martin presented the resignation of John Fields, major of the 91st regiment of North Carolina militia; and Mr. Gudger presented the resignation of Nathan Anderson, a justice of the peace for the county of Buncombe; which were read and accepted and sent to the House of Commons.

Mr. Mosely presented the petition of N. Whitfield and others, of Lenoir county, praying the passage of an act to regulate the patrol in certain portions of Lenoir and Wayne counties; which, on motion of Mr. Sherard, was ordered to be referred to the committee on so much of the Governor's message as relates to slaves and the situation of free persons of color.

Mr. Hawkins presented a bill to establish a poor house in Warren county, and for other purposes; which was read the first, second and third times and passed, and ordered to be engrossed.

Received from the House of Commons a message, stating their disagreement to the proposition of the Senate to ballot on Monday next for Public Treasurer, and proposing to ballot for that officer on to-day; and stating further that the name of William S. Mhoon, of Bertie, is in nomination for the appointment; which being read, was, on motion of Mr. Caldwell, of Iredell, ordered to be laid upon the table.

A message was received from the House of Commons, proposing to ballot immediately for brigadier general of the 15th brigade, and stating that the names of David Newland and Alney Burgin are in nomination for the appointment; which proposition was agreed to, and Messrs. Murchison and Wilson appointed to superintend the balloting on the part of the Senate, and the House of Commons was informed thereof by message.

Mr. M'Farland presented a bill for the better regulation of the fair held near Laurel Hill, in Richmond county; which was read the first and second times and passed.

Received from the House of Commons a message, stating that Messrs. Gaston and Branch attend the Senate as superintendents of the balloting on the part of that House for brigadier General of the 15th brigade.

The hour designated by the Governor elect for his qualification having arrived, and the Senate being informed that the House of Commons is in readiness to receive them on the occasion, the two Houses of the Legislature convened in the Commons Hall, where the oaths prescribed by law to be taken by the Governor before entering on the duties of his appointment, were administered, in the presence of both branches of the Legislature, to Montfort Stokes, by Nathaniel G. Rand, Esq. a justice of the peace for the county of Wake. Whereupon the Senate returned to their chamber for the purpose of legislation.

Mr. Walton, from the committee appointed to conduct the balloting for brigadier General of the 18th brigade, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred.

Received from the House of Commons a message, proposing another balloting for brigadier general of the 18th brigade; which proposition war-
agreed to, and Messrs. Cowper and Simmons appointed to conduct the balloting on the part of the Senate, and the House of Commons was informed thereof by message. Whereupon a message was received from the House of Commons, stating that Messrs. Murphy and Skinner attend the Senate to conduct the balloting on their part.

The bill concerning the distribution of the public arms to the police authorities, and to provide in case of invasion or insurrection, being read the second time, Mr. Montgomery moved to amend the bill by inserting after the words "Adjutant General." in the fifth line of the first section, the words "with the advice and consent of the Governor in writing;" which amendment was agreed to. Mr. M'Kay moved further to amend the bill by striking out the word "assurances," in the twelfth and thirteenth lines of the first section, and inserting the following, viz. "bond with approved security if required." Mr. Montgomery moved to amend the amendment by striking out the words "if required;" which amendment was not agreed to; and the question recurring on the original amendment, it was agreed to, and, on motion of Mr. Wilson, the bill was ordered to be laid upon the table.

On motion of Mr. M'Kay, the Senate resolved itself into a committee of the Whole, Mr. Martin in the chair, to take into consideration the bill fixing the fees of the clerks of the County and Superior Courts, and sheriffs' fees; and, after some time spent therein, the Speaker resumed the chair, and Mr. Martin reported that the committee of the Whole had, according to order, had the said bill under consideration, and had made some progress therein; but not having time to go through the same, had instructed him to ask leave to sit again, and on the question, shall the committee have leave to sit again on the said bill? it was determined in the affirmative.

Mr. Cowper, from the committee appointed to conduct the balloting for Brigadier General of the 18th brigade, reported that Alney Burgin, having received a majority of the whole number of votes, is duly elected, in which report the Senate concurred.

And then the Senate adjourned until this afternoon, 4 o'clock.

Saturday Evening, 4 o'clock.

The bill giving to the Superior Courts of the county of Moore original and exclusive jurisdiction in all cases where the intervention of a jury is necessary, being read the second time, Mr. M'Neil moved to amend the bill by adding the following at the end of the first section, viz. "except in cases of devisavit vel non and issues made up by persons charged with being the father of a bastard child or children, in all or either of which cases the said court may direct a jury to be summoned instanter at the term where the aforesaid causes may stand ready for trial;" which amendment was agreed to, and the bill, as amended, was read the second and third times and passed, and ordered to be engrossed.

The engrossed bill to incorporate the Winton Ferry Company, on Chowan river, between Hertford and Gates counties, being read the second time, Mr. Hare moved to amend the bill by adding the following as an additional section, viz. "Be it further enacted, that each member of said company hereby incorporated, and their successors, be, and they are hereby made liable in their private and individual capacity in actions in law and equity, for damages, accidents or any other claim or demand whassoever;"
which amendment was agreed to, and the bill, as amended, was read the second and third times and passed, and a message sent to the House of Commons, asking their concurrence to the amendments.

The bill to amend an act, passed at the last session, entitled an act for the better regulation of the town of Washington and for other purposes, was read the second and third times and passed, and ordered to be engrossed. And the engrossed bill for the better regulation of Elizabeth City, in the county of Pasquotank, being read the third time, Mr. M'Kay moved to amend the bill by striking out the whole of the eleventh section; which amendment was agreed to. Mr. M'Kay moved further to amend the bill by inserting after the word "court," in the ninth line of the 10th section, the following: "upon the other requisites of the law being complied with by the applicant." Mr. M'Kay moved further to amend the bill by striking out the whole of the 18th section. Which amendments were also agreed to, and the bill, as amended, was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendments.

The bill to amend an act, passed at the last session, entitled an act concerning fishing in the waters of Blount's creek, being read the third time, Mr. M'Kay moved to amend the bill by adding the following words at the end of the bill, viz. "not exceeding twenty days?" which amendment was agreed to, and the bill, as amended, was read the third time and passed, and ordered to be engrossed.

The bill to incorporate the Gates Canal Company being read the third time, Mr. M'Kay moved to amend the bill by striking out the words "some or more," in the twenty-seventh line of the ninth section; which amendment was agreed to. Mr. Montgomery moved further to amend the bill by adding the following as an additional section, to wit: "Be it further enacted, that the stockholders in said company shall be bound in their individual capacity for all debts said company shall contract;" which amendment was also agreed to, and the bill, as amended, was read the third time and passed, and ordered to be engrossed.

The bill for the better regulation of the Fair held near Laurel Hill, in Richmond county, was read the third time and passed, and ordered to be engrossed.

Mr. Beasly presented the resignation of David Newland, Colonel Commandant of the 80th regiment of North Carolina militia; which was read and accepted and sent to the House of Commons.

And then the Senate adjourned until Monday morning, 10 o'clock.

MONDAY, DECEMBER 20, 1830.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: A bill to incorporate the Gates Canal Company; a bill to establish a poor and work house in Warren county and for other purposes; a bill to amend an act, passed at the last session, entitled an act for the better regulation of the town of Washington and for other purposes; a bill for the better regulation of the Fair held near Laurel Hill, in Richmond county; and a bill to amend an act, passed at the last session, concerning fishing in the waters of Blount's creek; in which they ask the concurrence of that House.

Mr. M'Entire presented the petition of sundry citizens of the county
of Rutherford, praying the passage of an act to restore to credit James Ward, of said county, convicted in the year 1823 of the crime of passing counterfeit money. On motion of Mr. M'Entire, ordered that the said petition be referred to the committee on Propositions and Grievances.

Mr. Hinton, of Beaufort, presented to the Senate two letters from the Intendant of Police of the town of Washington, in relation to the circulation of seditious publications and other indications tending to create dissatisfaction among the slaves in this State; which, on motion of Mr. Hinton, of Beaufort, were ordered to be referred to the committee on so much of the Governor's message as relates to slaves and the situation of free persons of colour in this State.

Mr. Martin, from the committee on Claims, to whom was referred the resolution in favor of Peter Sinclair, made an unfavorable report thereon, recommending the rejection of the said resolution; in which report the Senate concurred.

Mr. Sneed, from the committee on Finance, to whom was referred the resolution instructing them to inquire into the expediency of providing additional checks on the disbursements of the public monies; and also into the expediency of diminishing the penalty of the bond required of the Public Treasurer, made a report thereon, stating that in the opinion of the committee, it is inexpedient to alter the law in relation to the subjects referred to them, and ask to be discharged from the further consideration of the subject; in which report the Senate concurred, and the committee was discharged accordingly.

Mr. Meares, from the committee on so much of the Governor's message as relates to slaves and the situation of free persons of colour in this State, reported the following bills, to wit: A bill, entitled a bill to compel retailers of spirituous liquors by the small measure to take an oath and give bond with security before receiving licenses not to sell spirituous or fermented liquors, powder, shot, lead or fire arms to a slave; and a bill to amend an act, passed in the year 1826, entitled an act to prevent free persons of colour from migrating into this State, for the good government of such persons resident in this State and for other purposes; which were read the first time and passed.

On motion of Mr. Dobson, ordered that a message be sent to the House of Commons, proposing to ballot immediately for Public Treasurer of the State.

Mr. Sneed presented the following resolution, viz.

Resolved, That one hundred stand of the public arms, of the smallest size, be loaned to Daniel H. Bingham, the Principal of the North Carolina Literary, Scientific and Military Institution at Oxford, upon his entering into bond with sufficient security, to be approved by the Governor, for the safe keeping and return of the same when they shall be demanded.

Which was read, and, on motion of Mr. Sneed, ordered that the further consideration thereof be postponed until to-morrow.

On motion of Mr. M'Kay,

Resolved, That a select committee of three be appointed to inquire whether any, and what amendments are necessary to the laws prescribing the mode of ordering out the militia of this State in cases of insurrection or invasion, and that they have leave to report by bill or otherwise.

Messrs. M'Kay, Spaight and Mosely are appointed to form said committee.

Mr. Guinn presented the following resolution, viz.

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of the State selling her public lands, that are surveyed and remain unsold in the county of Macon, the ensuing Fall; and that they report by bill or otherwise.
Which was read, and the question on the adoption thereof was decided in the negative.

Mr. Meares presented a bill to extend the jurisdiction of the Supreme Court; which was read the first time and passed.

Mr. M'Farland presented a bill relative to allowing county claims in the county of Richmond; which was read the first time and passed.

Mr. Dick presented a bill to exempt from execution the articles therein named; which was read the first time and passed.

Mr. Williams, of Franklin, presented a bill to limit the appointment of the Judges of the Superior Courts of Law and Equity in this State; which was read the first time and passed.

Mr. Sneed presented a bill to amend an act, passed in 1827, chapter 1st, entitled an act concerning the Public Treasurer; which was read the first time and passed.

The bill concerning the distribution of the public arms to the police authorities, and to provide in case of insurrection or invasion, being read the second time, Mr. M'Kay moved to amend the bill by striking out the word "assurances," in the fourth line of the second section, and insert the words "bond with approved security if required." Mr. M'Kay moved further to amend the bill by striking out the words "and those in the hands of a volunteer company at Elizabeth City," and insert in lieu thereof, the words "and those that were in the hands of the volunteer companies, in the counties of Pasquotank and Perquimons;" which amendments were agreed to. Mr. Wilson moved further to amend the bill by inserting after the word "authority," in the second line of the second section, the words "or the senior Colonel of any county in this State;" which amendment was agreed to. Mr. Hall moved further to amend the bill by inserting after the word "Wilmington," in the ninth line of the first section, the word "Smithville;" which amendment was not agreed to, and the bill, as amended, was read the second and third times and passed, and ordered to be engrossed.

Received from the House of Commons a message, agreeing to the proposition of the Senate to ballot immediately for Public Treasurer of the State, and stating that the name of Henry M. Miller is added to the nomination, and informing that Messrs. Spurgin and Frederick attend the Senate to superintend the balloting on the part of that House. Whereupon Messrs. Blackwood and M'Farland were appointed to conduct the balloting on the part of the Senate, and the House of Commons was informed thereof by message.

The resolution in favor of Dr. James Manny, being read the second time, Mr. M'Kay moved to amend the resolution by striking out the words "eight hundred and twenty-eight dollars and seventy-five cents," which amendment was agreed to. Mr. Meares moved to amend the bill by inserting the words "six hundred and eighty four dollars and one cent;" which amendment was also agreed to. Mr. Meares moved further to amend the bill by inserting the following provision after the word "same," in the ninth line, to wit: "provided, the directory of said company approve of said machine, and the same is delivered to them in good order;" which amendment was also agreed to, and the resolution being read the second time, as amended, it was resolved, that the same shall not pass—ayes 26, noes 33. The ayes and noes being demanded by Mr. Hawkins, are as follows, to wit:
Those who voted in the affirmative, are Messrs. Askew, Barnes, Borden, Dick, Dickinson, Dobson, Howe, Hall, Hinton of Beaufort, Hinton of Wake, Jones, M'Daniel, McKay, McFarland, Meares, Miller, Mosely, Moye, Murchison, Newland, Spaight, Selby, Sherard, Speed, Ward, Williams of P.


Mr. McFarland, from the committee appointed to conduct the balloting for Public Treasurer, reported that William S. Mhoon having received a majority of the whole number of votes, is duly elected; in which report the Senate concurred.

On motion of Mr. Ward,

Resolved, That a message be sent to the House of Commons, proposing that the Military Committee of that House and the Military committee of the Senate be a joint committee, to whom the report of the Adjutant General be referred.

On motion of Mr. McKay, the Senate resolved itself into a committee of the whole House, Mr. Martin in the chair, to take into consideration the bill fixing the fees of the clerks of the County and Superior Courts and sheriffs' fees; and, after some time spent therein, the Speaker resumed the chair, and Mr. Martin reported that the committee of the whole had, according to order, had the said bill under consideration, and made some progress therein; but not having sufficient time to go through the same, had instructed him to ask leave to sit again this afternoon; and on the question, shall the committee have leave to sit again on the said bill this afternoon? it was decided in the affirmative.

And then the Senate adjourned until this afternoon, 4 o'clock.

MONDAY AFTERNOON, 4 o'clock.

On motion of Mr. McKay, the Senate resolved itself into a committee of the whole House, Mr. Martin in the chair, to take into consideration the bill fixing the fees of the clerks of the County and Superior Courts and sheriffs' fees; and, after some time spent therein, the Speaker resumed the chair, and Mr. Martin reported that the committee of the whole had, according to order, had the said bill under consideration, and made sundry amendments thereto, and had instructed him to report the bill with the amendments to the House, and ask their concurrence therein. Whereupon the said amendments were severally read and concurred in by the Senate, and the bill, as amended, was read the second time and passed.

And the Senate then adjourned until to-morrow morning, 10 o'clock.

TUESDAY, DECEMBER 21, 1830.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, viz: a bill concerning the distribution of the public arms to the police authorities, and to provide in case of insurrection or invasion; a bill giving the Superior Courts of the county of Moore original and exclusive jurisdiction in all cases where the intervention of a jury is necessary; in which they ask the concurrence of that House.

Mr. Dick presented the petition of Elijah Shoemaker, of the county of Guilford, praying the passage of an act to authorise him to vend goods and spirituous liquors in the said county free from taxation. On motion of Mr. Dick, ordered that the said petition be referred to the committee on Propositions and Grievances.
Mr. Newland presented a bill to appoint commissioners to superintend the building of a court house in the county of Burke, and to prescribe the manner in which the sheriff shall pay over the tax laid for the building of the same in said county; which was read the first time and passed.

Mr. Guinn presented a bill to extend the jurisdiction of justices of the peace in certain cases; which was read the first time and passed.

Received from the House of Commons a message, stating that they have passed the following engrossed bill and resolutions, viz. a bill for the better regulation of the Courts of Pleas and Quarter Sessions of the county of Haywood; a resolution in favor of Thomas Bell; a resolution in favor of John Brown; a resolution in favor of Mrs. E. E. A. Haywood; and a resolution concerning the re-opening of the old Roanoke inlet; in which they ask the concurrence of the Senate. Whereupon the said bill and resolutions were severally read the first time and passed, except the last mentioned resolution; which was, on motion of Mr. Wilson, ordered to be postponed until to-morrow.

The engrossed resolution in favor of Thomas Bell, was read the second time and passed, and the engrossed resolution in favor of John Brown, was read the second and third times and passed, and ordered to be enrolled.

Received from the House of Commons a message, proposing that the two Houses proceed to ballot on to-morrow for Councilors of State; which proposition was agreed to, and the House of Commons was informed thereof by message.

On motion of Mr. Montgomery, the Senate resolved itself into a committee of the whole House, Mr. Hinton, of Wake, in the chair, to take into consideration the bill to establish a Bank on the funds of the State; and, after some time spent therein, the Speaker resumed the chair, and Mr. Hinton reported that the committee of the whole had, according to order, had the said bill under consideration, and had made some progress therein; but not having sufficient time to go through the same, had instructed him to ask leave to sit again this evening; and on the question, shall the committee have leave to sit again on the said bill this evening? it was decided in the affirmative.

On motion of Mr. Newland, ordered that the committee of the whole House be discharged from the further consideration of the bill to erect out of a portion of the counties of Burke and Buncombe a separate and distinct county by the name of Yancy; and the bill being read the second time, Mr. Sherard moved to amend the bill by adding a new section, proposing to erect a county out of portions of the counties of Wayne, Johnston, Edgecomb and Nash, by the name of "Spaight"; which amendment was not agreed to—ayes 27, noes 35. The ayes and noes being demanded by Mr. Sherard, are as follows, to wit:


The question then recurring on the passage of the bill the second
time, it was decided in the affirmative—eyes 31, noes 31—the Speaker voting in the affirmative. The eyes and noes being demanded by Mr. Mathews, are as follows, to wit:


The bill to exempt Bibles from execution being read the second time, Mr. Mathews moved to amend the bill by adding the following as an additional section, to wit: "And be it further enacted, that if any person or persons shall hereafter receive from the Bible Society or agent, any Bible or Bibles by way of gift, and shall sell or dispose of the same, either by themselves or agent, the person so offending shall be liable to indictment, either in the County or Superior Court, and on conviction thereof shall be fined or imprisoned at the discretion of the court before whom they may be tried." Mr. Wilson moved that the bill, together with the amendment, be indefinitely postponed; which was not agreed to, and the question then recurring on the adoption of the amendment, it was decided in the negative. Mr. Sherard moved further to amend the bill by inserting the words " or spectacles," after the word "Bibles;" which amendment was not agreed to. Mr. Crump moved further to amend the bill by inserting after the word "Bible," the words "hymn book." Mr. Guinn moved further to amend the bill by inserting the word "Testament." And Mr. Hinton, of Beaufort, moved further to amend the bill by inserting the words "prayer book." Which amendments were severally agreed to, and the bill, as amended, was read the second time and passed.

The bill to repeal certain acts and parts of acts, on the ground of their being unconstitutional, was read the second time, and resolved that the same shall not pass.

And the Senate then adjourned until this evening, 4 o'clock.

Tuesday Evening, 4 o'clock.

A motion was made by Mr. Williams, of Martin, to reconsider the vote taken on yesterday, on the resolution in favor of Doctor James Manney, and on the question, will the Senate reconsider the said vote? it was decided in the affirmative. Whereupon, on motion of Mr. Borden, the said resolution was ordered to be laid upon the table.

Received from the House of Commons a message, stating that they have passed the engrossed bill, entitled a bill to enact, with sundry alterations and additions, an act entitled an act to incorporate the Petersburg Rail Road Company, passed by the Legislature of Virginia on the 10th day of February, 1830; in which they ask the concurrence of the Senate. Whereupon the said bill was read the first time and passed.

A message was also received from the House of Commons, stating that they have passed the following engrossed bills, to wit: a bill concerning the North Carolina Catawba Navigation Company; a bill to amend an act, passed in the year 1762, chapter 5th, section 20, prescribing the mode in which apprentice bonds shall be taken; and a bill to incorporate
a company styled the Fayetteville Rail Road Company; in which they ask the concurrence of the Senate. Whereupon the said bills were severally read the first time and passed.

The bill relative to allowing county claims in the county of Richmond, was read the second time and passed.

The engrossed bill concerning the clerk of the Superior Court of the county of Currituck, being read the second time, Mr. Newland moved to amend the bill by striking out the words "thing in any other" in the last line of the bill; which amendment was agreed to. Mr. McKay moved further to amend the bill by striking out the whole of the preamble there-of, and in the eighth line of the first section, after the word "afternoon," insert the words "unless the business of the said court be sooner disposed of;" which amendments were also agreed to, and the bill, as amended, was read the second time and passed.

Received from the House of Commons a message, stating that they have passed the following engrossed bills, to wit: A bill to make valid certain official acts of Ezekiel Brown, surveyor for the county of Davidson; a bill to incorporate the Trustees of the Murfreesborough Academy, in the town of Murfreesborough, in the county of Hertford; and a bill to amend an act, passed at the last session of the General Assembly, entitled an act for the better regulation of the town of Murfreesborough, in the county of Hertford; in which they ask the concurrence of the Senate. Whereupon the said bills were severally read the first time and passed.

Received from the House of Commons a message, accompanied by a communication from his Excellency the Governor, transmitting the account of the late Governor John Owen, as guardian ex officio of James N. Forsythe; also an account of the furniture purchased for the Government House, under a resolution of the General Assembly, together with the vouchers accompanying the same, accompanied by a proposition from that House that those subjects be referred to the committee on Finance; which proposition was agreed to, and the House of Commons was informed thereof by message.

Received also from the House of Commons a message, stating that they have passed the following engrossed bills, to wit: A bill to incorporate the Greenville Female Academy, in the county of Pitt; a bill concerning the summoning of jurors; and a bill to enlarge the capital stock of the Plymouth Turnpike Company and for other purposes; in which they ask the concurrence of the Senate. Whereupon the said bills were severally read the first time and passed.

Received also from the House of Commons sundry messages, stating their concurrence in the amendments made by the Senate to the following engrossed bills, viz. A bill to amend an act, passed in the year 1824, entitled an act to appoint commissioners for the town of Clemonsvilla, in Davidson county; a bill to regulate the time of holding the Superior Courts of Law and Equity for the counties of Moore, Montgomery and Anson; a bill to incorporate the Winton Ferry Company, on Chowan river, between Hertford and Gates counties; and a bill to amend an act, passed in the year 1829, entitled an act to authorise the County Court of Burke county to appoint commissioners to view and lay off a road from the Lincoln line to Mull's mills, passing through the Laurel Gap of the South Mountain, and for other purposes. Whereupon the said bills were ordered to be enrolled.
A message was also received from the House of Commons, stating that they have postponed indefinitely the following engrossed bills, viz. a bill to protect seine places on Roanoke river; a bill to alter the names of Geo. W. Morrow, Andrew J. Morrow, Mary Morrow and Elizabeth Morrow, of Caswell county, and to legitimate them; a bill to incorporate a light infantry company, in the town of Greenville; and a bill to amend an act, entitled an act to prevent vice and immorality by declaring the offences therein contained to be the subject of indictment, passed in the year 1805.

Received also from the House of Commons a message, stating that they recede from their amendment to the engrossed bill to reduce the number of jurors to lay off the roads in the county of Macon to five freeholders.

Received from the House of Commons the following resignations, viz. the resignation of Parroll Mewborne, of the county of Greene; the resignation of Willie Shaw, of the county of Orange; the resignation of Thomas D. Parke, of the county of Anson, justices of the peace for their respective counties; also the resignation of Edward Yarbrough, Colonel Commandant of the 63d regiment of North Carolina militia; and the resignation of Walter P. Allen, Lieutenant Colonel of the Lenoir county regiment, endorsed in that House "read and accepted;" and which were read and accepted by the Senate.

And the Senate then adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, DECEMBER 22, 1830.

The Speaker laid before the Senate a memorial from sundry citizens of the town of Wilmington, complaining of the provisions of the charter granted to the Cape Fear Navigation Company, in the year 1815. On motion of Mr. Wilson, ordered that the said memorial be referred to the committee on Internal Improvement.

Mr. Hinton, of Beaufort, presented the memorial of James Grant, Comptroller of the State, praying the Legislature to grant him some additional assistance to enable him to discharge the various and increased duties which have devolved upon him by the act regulating the Treasury department, passed in the year 1827. On motion of Mr. Hinton, of Beaufort, ordered that the said memorial be referred to the committee on Finance.

Mr. Blackwood presented the petition of David Ray, of Mecklenburg county, praying compensation for services rendered during the revolutionary war; which, on motion of Mr. Blackwood, was ordered to be referred to a select committee. Messrs. Blackwood, Melchor, Hoke, Barnes and Gavin were appointed to form said committee.

Mr. M'Farland, from the committee on Education and Primary Schools, to whom was referred a resolution instructing them to inquire into the present state of the Literary fund, made a report thereon, accompanied by the following resolution, viz.

Resolved, That the Public Treasurer be authorized to transfer to the Literary fund, and enter the same in the books kept for the purpose, the sum of twenty-eight thousand one hundred and eighty-four dollars thirty-two and a half cents, and all interest that has or may accrue on said sum, it being an amount due from the late Treasurer John Haywood.

Which being read, was, on motion of Mr. Wilson, ordered to be laid upon the table, and, on motion of Mr. M'Farland, ordered that the report be printed, one copy for each member of the Legislature.

Mr. Williams, of Martin, from the committee on Propositions and
Grievances, to whom was referred the petition of Charles Lewis, made an unfavorable report thereon, recommending the rejection of the said petition, and ask to be discharged from the further consideration of the subject; in which report the Senate concurred, and the committee was discharged accordingly.

Received from the House of Commons a message, proposing to ballot immediately for a Brigadier General of the 11th brigade of North Carolina militia, and stating that William Allen, John Sloan and John H. Davidson are in nomination for the appointment; which proposition was agreed to, and Messrs. Blackwood and Melchor appointed to conduct the balloting on the part of the Senate, and the House of Commons was informed thereof by message. Whereupon a message was received from the House of Commons, stating that Messrs. Haley and Tatham are appointed to conduct the balloting on the part of that House.

Mr. Newland presented the following resolution, viz.

Resolved, That the Public Treasurer be directed to pay to William T. Preswood the sum of $1000, being the amount of compensation to which he is entitled as deputy surveyor under Matthew Heard, late of Burke county, appointed by the Governor, agreeably to an act of 1826, to survey the lands lately acquired by treaty from the Cherokee Indians, and that the Treasurer be allowed the same in the settlement of his public accounts.

Which was read, and, motion of Mr. Newland, ordered to be referred to the committee on Claims.

Mr. Martin presented a bill to amend an act, passed in the year 1819, chap. 1000, entitled an act giving to the Courts of Pleas and Quarter Sessions power to regulate separate elections; which was read the first time and passed.

Mr. Guinn presented a bill to repeal the 5th section of an act, passed in the year 1827, chapter 19th, entitled an act giving the Superior Court of Law exclusive jurisdiction in all cases of divorce; which was read the first time and passed.

Mr. Williams, of Franklin, presented a bill to amend the first and fourth sections of an act, passed at the last session of the General Assembly, entitled an act to authorise the Court of Pleas and Quarter Sessions for the county of Franklin to appoint wardens of the poor, and to build a poor and work house, and for other purposes; which was read the first time and passed.

Mr. M'Farland presented a bill for the promotion of the Literary fund; which was read the first time and passed.

Mr. M'Kay presented a bill to authorise and direct the collection of arrearages of taxes due on lands; which was read the first time and passed, and, on motion of Mr. Sneed, ordered to be printed, one copy for each member of the Legislature.

Mr. Dobson presented a bill to make it lawful for jurors to prove their services before any justice of the peace for the county of Surry; which was read the first time and passed.

On motion of Mr. Martin, the Senate resolved itself into a committee of the whole House, Mr. Hinton, of Wake, in the chair, to take into consideration the bill to establish a Bank on the funds of the State; and, after some time spent therein, the Speaker resumed the chair, and Mr. Hinton reported that the committee of the whole had, according to order, had the said bill under consideration, and had instructed him to report the same to the House without amendment. Whereupon the said bill being read the second time, on motion of Mr. Murchison, the further con-
sideration thereof, was ordered to be postponed indefinitely—ayes 31, noes 31—the Speaker voting in the affirmative. The ayes and noes being demanded by Mr. Murchison, are follows, to wit:

Those who voted in the affirmative, are Messrs. Barnes, Beasley, Boddie, Borden, Davenport, Dickinson, Gudger, Hare, Hawkins, Hintan of Wake, Howell, Jones, Kerr, Lindsay, M'Entire, Meares, Melcher, Miller, Mosely, Moye, Murchison, Newland, Ray, Spaight, Selby, Simmons, Snedel, Ward, Williams of Franklin, Williams of Martin, Wilder.


Mr. Blackwood, from the committee appointed to conduct the ballot for a Brigadier General of the 11th brigade, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred.

And then the Senate adjourned until this evening, 4 o'clock.

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Wednesday Evening, 4 o'clock.

The engrossed bill to incorporate a company, styled the Fayetteville Rail Road Company, was read the second time and passed.

The bill to appoint commissioners to superintend the building of a court house in the county of Burke, and to prescribe the manner in which the sheriff shall pay over the tax laid for building the same, being read the second time, Mr. Newland moved to amend the bill by adding the following as additional sections, to wit: “Be it further enacted, that if any of the aforesaid commissioners should die, resign, refuse or become incapable of acting, then and in that case the County Court of said county shall have power to fill the vacancy thereby occasioned.” “Be it further enacted that this act shall be in force from and after its ratification.” Which amendments were agreed to, and the bill, as amended, was read the second time and passed.

And the Senate then adjourned until to-morrow morning, 10 o'clock.

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Thursday, December 23, 1830.

Mr. Jones presented the memorial of sundry citizens of Wilkes county, praying the passage of an act to restore Jos. Pennel, of said county, to the rights and privileges of a citizen. On motion of Mr. Jones, ordered that the said memorial be referred to the committee on Propositions and Grievances.

Mr. Meares, from the joint select committee, to whom was referred the resolution instructing them to inquire into the propriety of establishing a fund, to be appropriated to the removal of free persons of colour from this State, made a report thereon, accompanied by a bill to raise a fund for the removal of free persons of colour from this State to Liberia; which was read the first time and passed, and, on motion of Mr. M'Kay, ordered to be printed; and, on motion of Mr. Sherard, ordered that the report be also printed, one copy for each member of the Legislature.

On motion of Mr. Mathews, ordered that a message be sent to the House of Commons, proposing to ballot immediately for Councillors of State, and stating that the names of Gideon Alston, Joseph B. Outlaw, Alfred Jones, Alexander Gray, Thomas Kenan, Geo. W. Jeffreys, Arc'd. M'Bride, John W. Caldwell and Daniel M. Forney are in nomination for the appointment.

Mr. Brower presented a bill to prevent the falling of timber in, or ob-
structing the run of Sandy creek in the county of Randolph; which was read the first time and passed.

The resolution in favor of Doctor James Manney being read the second time, Mr. Borden moved to amend the resolution by striking out the whole thereof except the word "resolved," and inserting the following, to wit: "that the agent of the State for the Clubfoot and Harlows Creek Canal have full power and authority to purchase for the use of said canal a dredging machine, to clean out and keep said canal free of mud and other obstructions, to be purchased by the first monies arising from the tolls of said canal; and said machine, when so purchased, is hereby declared to be the property of the State, and shall so remain until the purchase money above mentioned shall be paid into the Treasury of the State by the Clubfoot and Harlows Creek Canal Company; and the President and Directors of said company shall safely keep the said machine, and have it at all times subject to the order of the General Assembly." Mr. Dick moved to amend the amendment by inserting after the word "machine," in the fifth line, the words "and scow." Mr. Dick moved further to amend the amendment by inserting after the word "canal," in the eighth line, the words "so as not to exceed the sum of seven hundred and fifty dollars;" which amendments were agreed to, and the resolution, as amended, was read and adopted, and ordered to be engrossed.

The engrossed bill to incorporate a company styled the Fayetteville Rail Road Company, being read the third time, Mr. Ray moved to amend the bill by striking out the word "receive," after the word "May," in the eleventh line of the eighth section, and inserting the word "recover;" which amendment was agreed to. Mr. M'Kay moved further to amend the bill by striking out the word "three," in the third line of the last section, and inserting the word "two;" which amendment was not agreed to, and the bill, as amended, was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendment.

The resolution authorising a loan of public arms to be made to Daniel H. Bingham, was read and adopted and ordered to be engrossed.

The engrossed resolution in favor of Thomas Bell, was read the third time and passed, and ordered to be enrolled.

The engrossed bill for the better regulation of the Courts of Pleas and Quarter Sessions of the county of Haywood; and the engrossed bill to amend an act, passed in the year 1762, chapter 5th, section 20th, prescribing the mode in which apprentice bonds shall be taken, were read the second time and passed.

Mr. Sneed, from the committee of Finance, to whom was referred the resolution directing them to inquire into the expediency of providing by law for the collection and accounting for of the public taxes at an earlier period than that now prescribed by law, made an unfavorable report thereon, and asked to be discharged from the further consideration of the subject; in which report the Senate concurred, and the committee was discharged accordingly.

Received from the House of Commons a message, agreeing to ballot immediately for Councillors of State, and informing that the name of James Bozman, David Newland, John Gray Blount, Nathan B. Whitfield, Quinton Anderson and Henry Blount are added to the nomination.
and stating that Messrs. Barringer and Stedman attend the Senate to conduct the balloting on the part of that House. Whereupon, Messrs. Mathews and Perkins are appointed to conduct the balloting on the part of the Senate, and a message sent to the House of Commons, informing them thereof, and stating that the name of Doctor Stephen Graham, of Duplin, is added to the nomination.

Received from the House of Commons a message, proposing to ballot immediately for Brigadier General of the 11th brigade; which proposition was agreed to, and Messrs. Dobson and Wilder appointed to conduct the balloting on the part of the Senate, and the House of Commons was informed thereof by message. Whereupon a message was received from the House of Commons, stating that Messrs. Dobson and Dozier attend the Senate to superintend the balloting on their part.

The bill to extend the jurisdiction of justices of the peace in certain cases, being read the second time, Mr. Guinn moved to lay the bill upon the table; which was not agreed to. Mr. Guinn then moved to amend the bill by striking out the words "or two justices of the peace," in the second line of the third section; which amendment was not agreed to, and, on motion of Mr. Murchison, the further consideration of the said bill was ordered to be indefinitely postponed.

The bill to amend an act, passed in the year 1826, entitled an act to prevent free persons of color from migrating into this State, for the good government of such persons resident in this State, and for other purposes, being read the second time, Mr. Meares moved to fill a blank in the seventh line of the first section, with the word "thirty;" which was agreed to, and Mr. Newland moved to amend the bill by adding the following proviso at the end thereof, viz. "Provided, no person shall incur the penalties or disabilities prescribed in this act, if he shall have been prevented from so returning to this State by sickness or any other unavoidable accident." Which amendment was agreed to, and the bill, as amended, was read the second time and passed.

The bill to amend an act, passed in the year 1819, chapter 1000, entitled an act giving to the Courts of Pleas and Quarter Sessions power to regulate separate elections, being read the second time, Mr. Dickinson moved to amend the bill by striking out the following words, to wit: "or at the time at which it is made the duty of sheriffs to execute or renew their bonds;" and inserting the words "at the first court which shall happen after the first day of January;" which amendment was not agreed to. Mr. Dickinson moved that the bill be indefinitely postponed; which was not agreed to. Mr. Wilson moved to amend the bill by striking out the words proposed by Mr. Dickinson, and inserting the following: "at the court at which the taxes are laid." Mr. Newland moved to amend the amendment by adding "or at the time when the sheriffs execute or renew their bonds;" which was agreed to, and the amendment, as amended, was adopted. Mr. Sneed moved further to amend the bill by striking out the whole thereof, except the enacting clause, and inserting a substitute; which was read and agreed to. Mr. Lindsay moved that the further consideration of the bill and amendments be postponed till the 4th day of March next; which was not agreed to, and the bill, as amended, was read the second time and passed.

Mr. Dobson, from the committee appointed to conduct the balloting for
Brigadier General of the 11th brigade, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred.

And then the Senate adjourned until 4 o'clock this evening.

THURSDAY EVENING, 4 O'CLOCK.

Received from the House of Commons a message, stating their concurrence in the several amendments made by the Senate to the engrossed bill for the better government of the town of Elizabeth City, in the county of Pasquotank, and for other purposes. Whereupon the said bill was ordered to be enrolled.

Mr. Mathews, from the committee appointed to conduct the balloting for Councillors of State, reported that Alfred Jones, Daniel M. Forney, Geo. W. Jeffreys and John G. Blount, having received a majority of the whole number of votes, are duly elected, and that no other person in nomination had received a majority of the votes; in which report the Senate concurred.

On motion of Mr. Hinton, of Wake, ordered that William W. Boddie, the Senator from the county of Nash, have leave of absence for and during to-morrow.

The bill to prevent the gaming of slaves, and to prevent free persons from gaming with them or suffering them to game in their houses, was read the third time and passed, and ordered to be engrossed.

The bill fixing the fees of the clerks of the County and Superior Courts and sheriffs' fees, being read the third time, Mr. Hinton, of Beaufort, moved to amend the bill by inserting in the thirty-second line of the first section, the words "bills of sale;" which was not agreed to. Mr. Snead moved further to amend the bill by striking out the word "five," in the forty-first line of the same section, and inserting the word "ten:" and a division of the question being called for, it was first taken on striking out the word "five:" which was agreed to. Mr. Newland then moved to fill the blank with the word "ten:" which was also agreed to. Mr. Hinton, of Beaufort, moved further to amend the bill by striking out the word "forty," in the fifty-first line of the same section, and inserting the word "sixty;" which amendment was not agreed to. Mr. Dickinson moved further to amend the bill by adding after the word "more," in the twenty-sixth line of the same section, the following words: "and for search and certificate of the amount and date of such account, ten cents;" which was not agreed to. Mr. Hoke moved further to amend the bill by striking out the whole of the eighth section; which was not agreed to. Mr. Beasley moved further to amend the bill by striking out the words "goods or," in the thirteenth line of the ninth section, and to insert at the end of the thirty-first line the following: "for all monies collected by him by virtue of any levy, two and a half per cent. and the like commissions for all monies that may be paid the plaintiff by the defendant, while such precept is in the hands of the sheriff;" which amendments were agreed to. Mr. Meares moved further to amend the bill by adding the following words at the end of the twenty-first line of the same section: "not exceeding thirty cents per day." Mr. Hinton, of Wake, moved to amend the amendment by adding "nor less than twenty cents;" which was agreed to, and the amendment, as amended, was adopted. Mr. Dickinson moved further
to amend the bill by striking out the following words in the thirty-third line of the same section: "for every levy by virtue of an execution, seventy-five cents;" which was not agreed to. Mr. Hinton, of Beaufort, moved further to amend the bill by striking out the "proviso," in the latter clause of the ninth section, and inserting the following at the end of the eighth section, viz. "or Beaufort, and in the county of Beaufort no other tax on suits or judgments shall be collected, except those fixed by the act of the last session, providing compensation for the jurors of said county;" which amendments were agreed to. Mr. Dickinson moved further to amend the bill by striking out the whole of the 15th section; which was agreed to. Mr. Montgomery moved further to amend the bill by inserting the following as an additional section, to come in after the 18th section, viz. "And be it further enacted, that the clerks and masters in equity shall receive five cents per copy sheet;" which amendment was not agreed to. Mr. Hinton, of Beaufort, moved further to amend the bill by adding the following, to come in at the end of the first section, viz. "Recording processer's certificate, twenty cents; search of entry taker's book, ten cents; copy of location from ditto, ten cents; docketing constables' levies, including all services in court, one dollar; filing schedule bond and all other services in court without trial by jury, one dollar; trial of issue on schedule bond, seventy-five cents; and the plaintiff, at whose instance the defendant was arrested, shall be bound to pay the taxed costs of the case if the defendant be discharged by the Court; declaration of foreigner wishing naturalization, copy and seal, one dollar and fifty cents; final entry of naturalization, copy of ditto and seal, one dollar and fifty cents; for docketing appeals and entry of plea or default, eighty cents; every guardian notice for renewal of bond or settlement of accounts, sixty cents;" which amendment was agreed to. Mr. M'Farland moved further to amend the bill by adding the following as an additional section, to come in at the end of the eighteenth section, viz. "And be it further enacted, that the clerks and sheriffs of the different counties in this State shall annually make out a statement in writing of their claims against their respective counties for what is called extra services, and take an oath before some justice of the peace, that the same is a just and true account before the County Court shall allow the same;" which amendment was not agreed to, and the bill, as amended, was read the third time and passed, and ordered to be engrossed.

Mr. Hawkins moved that the Senate adjourn until to-morrow morning, 10 o'clock; which was not agreed to—ayes 25, noes 26. The ayes and noes being demanded by Mr. Hawkins, are as follows, viz.


Those who voted in the negative, are Messrs. Beasley, Brower, Caldwell of Iredell, Cowper, Crump, Davenport, Dick, Dolson, Gavin, Guinn, Hare, Hall, Harris, Hoke, Howell, Jennings, Kerr, Lindsey, M'Daniel, M'Kay, M'Farland, Marshall, Martin, Mathews, Montgomery, Vanhook.

A motion was made by Mr. Beasley to reconsider the vote taken on yesterday, on the indefinite postponement of the bill to establish a bank on the funds of the State; but before the question was taken on the said motion, Mr. Martin moved that the further consideration thereof be postponed until to-morrow; which was agreed to. And then the Senate ad-
journeyed until to-morrow morning, 10 o'clock—ayes 41, noes 7. The ayes and noes being demanded by Murchison, are as follows, viz.


Those who voted in the negative, are Messrs. Bick, Hall, Hook, Lindsay, M'Farland, Melchor, Williams of Martin.

FRIDAY, DECEMBER 24, 1830.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bill and resolutions, to wit: 'A bill to prevent the gaming of slaves, and to prevent free persons from gaming with them or suffering them to game in their houses; a resolution in favor of the agent of the State for the Clubfoot and Harlows Creek Canal; and a resolution authorising a loan of arms to Daniel H. Bingham; in which they ask the concurrence of that House.

On motion of Mr. Caldwell, of Iredell, ordered that a message be sent to the House of Commons, proposing to ballot immediately for three Councillors of State, yet to be elected.

On motion of Mr. Hawkins, ordered that a message be sent to the House of Commons, proposing to ballot again immediately for Brigadier General of the 11th brigade.

Mr. Williams, of Martin, from the committee on Propositions and Grievances, to whom was referred the petition of Elijah Shoemaker, of Guilford county, made an unfavorable report thereon, recommending the rejection of the said petition; in which report the Senate concurred.

Mr. M'Farland, from the committee on Education, to whom was referred a bill to provide for the education of the poor children of this State, made a report thereon, expressing the opinion that it is inexpedient at this time to pass the said bill into a law; and, on motion of Mr. Farland, ordered that the bill and report be laid upon the table.

Mr. Dobson presented a bill to repeal part of an act, passed in 1827, prescribing the manner in which lands shall hereafter be advertised for sale for taxes, in the counties of Anson and Surry; which was read the first time and passed.

Mr. Sneed presented a bill to procession the lands of this State; which was read the first time and passed, and, on motion of Mr. Mears, ordered to be printed, one copy for each member of the Legislature.

Mr. Cowper presented a bill to amend an act, passed at the last session, entitled an act to incorporate the Lake Drummond and Orapake Canal Company; which was read the first time and passed.

Mr. Howell presented a bill imposing additional taxes on suits at law and in equity in the Courts of Robeson, for the payment of jurors of the original venue in said county; which was read the first time and passed.

Received from the House of Commons a message, agreeing to ballot immediately for Brigadier General of the 11th brigade, and stating that the name of John H. Davidson is withdrawn from the nomination, and informing that Messrs. White and Selby attend the Senate to conduct the balloting on their part. Whereupon Messrs. Gavin and Brower were appointed to conduct the balloting on the part of the Senate, and the House of Commons was informed thereof by message.
A message was also received from the House of Commons, agreeing to ballot again immediately for three Councillors of State, and stating that the name of Henry Blount is withdrawn from the nomination, and informing that Messrs. Williams and Pearson attend the Senate to conduct the balloting. Whereupon Messrs. Hill and Davenport were appointed to conduct the balloting on the part of the Senate, and the House of Commons was informed thereof by message.

The engrossed resolution concerning the re-opening of old Roanoke inlet, being taken up, on motion of Mr. Skinner, and read, Mr. M'Kay moved that the resolution be laid upon the table; which was not agreed to—ayes 16, noes 36. The ayes and noes being demanded by Mr. Meares, are as follows, viz:


Mr. Williams, of Franklin, moved that the resolution be indefinitely postponed; which was not agreed to—ayes 7, noes 44. The ayes and noes being demanded by Mr. Williams of Franklin, are as follows, viz:


Mr. Williams, of Martin, moved to amend the resolution by adding the following words at the end thereof, viz: "Provided the work is deemed practicable," which amendment was not agreed to. Mr. Wilson moved to amend the resolution by inserting after the word "Senators," "be instructed," which was not agreed to, and the resolution was thereupon read and adopted, and ordered to be enrolled—ayes 36, noes 21. The ayes and noes being demanded by Mr. Wilson, are as follows, to wit:

Those who voted in the affirmative, are Messrs. Askew, Barnes, Beasley, Blackwood, Borden, Caldwell of I. Cowper, Davenport, Dick, Dickinson, Hare, Hall, Hawkins, Hinton of B. Hinton of W. Hoke, Howell, Jennings, Jones, Lindsay, M'Entire, M'Neill, Marshall, Martin, Mathews, Meares, M' Alchior, Murchison, Newland, Perkins, Ramsey, Selby, Skinner, Ward, Welch, Williams of M.


Received from the House of Commons a message, proposing to ballot immediately for Brigadier General of the 17th brigade, and stating that Joseph Arrington, Willis Whitaker and Nathaniel F. Green are in nomination for the appointment; which being read, was, on motion of Mr. Meares, ordered to be laid upon the table.

Mr. Hill, from the committee appointed to conduct the balloting for Councillors of State, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred.

Mr. Gavin, from the committee appointed to conduct the balloting for Brigadier General of the 11th brigade, reported that William Allen
having received a majority of the votes, is duly elected; in which report
the Senate concurred.

On motion of Mr. Hawkins, ordered that a message be sent to the
House of Commons, proposing to ballot again immediately for three COUN-
cillors of State yet to be elected. On motion of Mr. Dick, the name of
John W. Caldwell is withdrawn from the nomination.

Received from the House of Commons a message, agreeing to ballot
again immediately for Councillors of State, and stating that Messrs. Me-
bane and Wiseman attend the Senate to conduct the balloting, and in-
forming that the name of James Bozman is withdrawn from the nomination.
Whereupon Messrs. M'Farland and Selby were appointed to
conduct the balloting on the part of the Senate, and a message was sent to
the House of Commons, informing them thereof, and stating that the
names of Archibald M'Bride and Stephen Graham are withdrawn from
the nomination.

The engrossed bill to enact with sundry amendments and additions an
act, entitled an act to incorporate the Petersburg Rail Road Company,
passed by the Legislature of Virginia on the 10th day of February, 1830,
was read the second time and passed.

Mr. Spaight, from the joint select committee on that part of the Go-
vernor's message relating to the University, to whom was referred the
memorial of the Trustees of that institution, made a detailed report there-
on, accompanied by a bill, entitled a bill for the relief of the University of
North Carolina; which was read the first time and passed, and, on motion
of Mr. Williams, of Martin, ordered to be printed, one copy for each mem-
ber of the Legislature; and, on motion of Mr. Hinton, of Wake, order-
ed that a message be sent to the House of Commons, accompanied by the
said report, and proposing that five copies thereof be printed for each
member of the Legislature.

And the Senate then adjourned until half after 3 o'clock, this evening.

Friday Evening, half past 3 o'clock.

On motion of Mr. Hawkins, the Senate proceeded to consider the mes-
sage from the House of Commons, proposing to ballot immediately for a
Brigadier General of the 17th brigade, and the proposition of that House
was agreed to, and Messrs. Ramsey and Cowper were appointed to con-
duct the balloting on the part of the Senate, and the House of Commons
informed thereof by message.

Mr. M'Farland, from the committee appointed to conduct the ballot-
ing for three Councillors of State, reported that Nathan B. Whitfield,
Gideon Alston and David Newland, having received a majority of the
whole number of votes, are duly elected; in which report the Senate con-
curred.

The bill to amend the first and fourth sections of an act, passed at the
last session of the General Assembly, entitled an act to authorise the
Court of Pleas and Quarter Sessions for the county of Franklin to ap-
point wardens of the poor and to build a poor and work house, and for
other purposes, was read the second and third times and passed, and order-
ed to be engrossed.

The engrossed bill to make valid certain official acts of Ezekiel Brown,
surveyor for the county of Davidson, being read the second time, Mr.
Harris moved to amend the bill by adding the following, as an additional section, viz. "And be it further enacted, that the official acts performed by Joshua Wilson, former Entry Taker of the county of Davidson, since the time he was by law required to renew his bond, shall be as good and valid in all intents and purposes, as if the said Joshua Wilson had renewed his bond according to law;" which amendment was agreed to, and, on motion of Mr. Dick, the title of the bill was made to correspond thereto, and the bill, as amended, was read the second time and passed.

Received from the House of Commons a message, stating that Messrs. Wright and Brown attend the Senate to conduct the balloting for Brigadier General of the 17th brigade.

On motion of Mr. Martin, the Senate proceeded to consider the motion made by Mr. Beasley on yesterday, to reconsider the vote taken on the indefinite postponement of the bill to establish a Bank on the funds of the State; and on the question, will the Senate reconsider the said vote? it was decided in the affirmative—ayes 33, noes 24. The ayes and noes being demanded by Mr. Meares, are as follows, viz.


Whereupon, on motion of Mr. Hall, the bill was ordered to be laid upon the table.

The bill to make it lawful for jurors to prove their services before any justice of the peace for the county of Surry, was read the second and third times and passed, and ordered to be engrossed.

The following engrossed bills, viz. a bill to incorporate the Greenville Female Academy, in the county of Pitt; a bill to enlarge the capital stock of the Plymouth Turnpike Company and for other purposes; and a bill to incorporate the trustees of Murfreesborough Academy, in the town of Murfreesborough, county of Hertford, were severally read the second and third times and passed, and ordered to be enrolled.

Mr. Cowper, from the committee appointed to conduct the balloting for Brigadier General of the 17th brigade, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred.

Mr. Meares, from the committee to whom was referred the engrossed bill to authorise the County Courts of Lincoln, Haywood, Brunswick and Hyde to appoint committees of Finance; and the engrossed bill to authorise the Court of Pleas and Quarter Sessions of Jones county to appoint a committee of Finance, with instructions to report a general bill upon the subject, reported the said bills without amendment, and ask to be discharged from the further consideration of the subject; which was agreed to, and the first mentioned bill was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendment; and the last mentioned bill was read the second and third times and passed, and ordered to be enrolled.

On motion of Mr. M'Farland, the resolution concerning the Literary Fund was taken up, read and adopted, and ordered to be engrossed.
The bill to appoint commissioners to superintend the building of a Court House in the county of Burke, and to prescribe the manner in which the sheriff shall pay over the tax laid for the building the same; and the bill relative to allowing county claims in the county of Richmond, were read the third time and passed, and ordered to be engrossed.

The engrossed bill concerning the clerk of the Superior Court of the county of Currituck; the engrossed bill to make valid certain official acts of Ezekiel Brown, surveyor for the county of Davidson, were read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendment.

The engrossed bill to amend an act, passed at the last session of the General Assembly, entitled an act for the better regulation of the town of Murfreesborough, in the county of Hertford, was read the second and third times and passed, and ordered to be enrolled.

The engrossed bill for the better regulation of the Courts of Pleas and Quarter Sessions of the county of Haywood, being read the third time, Mr. Welch moved to amend the bill, in the third line of the fourth section, by striking out the words "and fifty cents" which amendment was agreed to, and the bill, as amended, was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendment.

The bill to prevent the falling of timber in, or obstructing the run of Sandy creek, in the county of Randolph; the bill imposing additional taxes on suits of law and in equity in the courts of Robeson, for the payment of jurors of the original venire in said county; the bill to amend an act, passed at the last session, entitled an act to incorporate the Lake Drummond and Orapake Canal Company; and the bill to repeal part of an act, passed in 1827, prescribing the manner in which lands should thereafter be advertised for sale in the counties of Anson and Surry, were severally read the second and third times and passed, and ordered to be engrossed.

The engrossed bill to enact, with sundry alterations and additions, an act, entitled an act to incorporate the Petersburg Rail Road Company, passed by the Legislature of Virginia on the 10th day of February, 1830, was read the third time and passed, and ordered to be enrolled.

And the Senate then adjourned until to-morrow morning, 10 o'clock.

Saturday, December 25, 1830.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills and resolution, viz. A bill to repeal part of an act, passed in 1827, prescribing the manner in which lands should thereafter be advertised for sale for taxes in the counties of Anson and Surry; a bill relative to allowing county claims in the county of Richmond; a bill to make it lawful for jurors to prove their services before any justice of the peace for the county of Surry; a bill to amend the first and fourth sections of an act, passed at the last session of the General Assembly, entitled an act to authorise the County Court of Pleas and Quarter Sessions for the county of Franklin to appoint wardens of the poor and to build a poor and work house, and for other purposes; a bill to prevent the falling of timber in, or obstructing the run of Sandy creek, in Randolph county; a bill imposing an additional tax on suits at law and equity in the courts of Robeson, for the payment of the jurors of the original ve-
nire in said county; a bill to amend an act, passed at the last session, entitled an act to incorporate the Lake Drummond and Orapeake Canal Company; and a resolution concerning the Literary Fund; in which they ask the concurrence of that House.

Mr. Williams, of Martin, from the committee on Propositions and Grievances, to whom was referred the petition of sundry citizens of Burke county, praying the passage of an act to authorise Killeon Jarret to erect a mill dam across the Catawba river, in said county, made an unfavorable report thereon, recommending that the prayer of the petitioner be not allowed; in which report the Senate concurred.

Mr. Hoke, from the committee appointed on the Road Laws, made a report thereon, accompanied by a bill, entitled a bill amendatory of the laws concerning roads; which was read the first time and passed.

Mr. Dobson presented a bill making it the duty of the sheriff of the county of Surry, to notify persons of the day on which their lands will be sold for taxes; which was read the first time and passed.

Mr. Harris presented a bill concerning the salaries of the Supreme Court Judges; which was read the first time and passed.

Received from the House of Commons a message, stating that they have passed the following engrossed bills, to wit: A bill to establish a Superior Court of Law and Court of Equity in the county of Macon, and for other purposes; a bill supplemental to an act, passed in the year 1826, entitled an act for the better regulation of the town of Concord, in the county of Cabarrus; and a bill to incorporate Clemon's Academy, in the county of Pitt; in which they ask the concurrence of the Senate. Whereupon the said bills were severally read the first time and passed.

A message was also received from the House of Commons, stating that they have passed the following engrossed bills, viz. A bill to authorise the justices of the peace of Sampson county to purchase a tract of land, and erect thereon a suitable building for the accommodation of the poor of the county; a bill to amend an act, entitled an act to appoint a committee of Finance for the county of Sampson; a bill for the better regulation of the Court of Pleas and Quarter Sessions of the county of Anson; a bill to repeal a part of the third section of an act, passed in the year 1824, entitled an act to amend an act, passed in the year 1813, entitled an act to alter and regulate the annual elections in the county of Hyde; a bill to authorise the justices of the Court of Pleas and Quarter Sessions of the county of Northampton to employ a suitable person to transcribe a part of the records of said court; and a bill to authorise Daniel Graham, of Cumberland county, to erect a gate across the road leading from Fayetteville to Tarborough, in which they ask the concurrence of the Senate. Whereupon the said bills were severally read the first time and passed.

Received also from the House of Commons a message, stating that they have passed the following engrossed bill and resolution, viz. A bill to repeal an act, passed in the year 1829, chapter 63, entitled an act to repeal so much of an act, passed in the year 1810, as prevents any person from working seines, skimming with nets or of setting nets in Tar river, above the mouth of Fishing creek; and a resolution instructing the Public Treasurer; in which they ask the concurrence of the Senate. Whereupon the said bill was read the first time and passed, and the resolution was read and adopted and ordered to be enrolled.
Received also from the House of Commons a message, stating that they have passed the engrossed bill concerning the distribution of the public arms to the police authorities, and to provide in case of insurrection or invasion, with the following amendments, to wit: In the first section, after the word "Halifax," insert "and Edenton;" and at the end of the bill, add the following as an additional section, viz. "Be it further enacted, that the Governor be authorised and required, whenever he shall deem it expedient, to make such provisions as he may think necessary for guarding and protecting the different arsenals in this State;" which amendments were agreed to, and the House of Commons was informed thereof by message.

A message was also received from the House of Commons, stating that they have passed the engrossed bill to prevent all persons from teaching slaves to read or write, the use of figures excepted, with the following amendments, to wit: In the first section, after the word "excepted," insert "or shall give or sell to such slave or slaves any book or pamphlets:" and in the same section, after the words "shall be," insert "fined, imprisoned or:" in which they ask the concurrence of the Senate. Whereupon the said amendments were read and agreed to, and a message sent to the House of Commons, informing them thereof.

The bill to prevent the circulation of seditious publications, and for other purposes, being read the third time, Mr. Meares moved to amend the bill by inserting after the word "circulate," in the fifth line, the words "or publish," and after the word "circulation," in the seventh line, the words "or publication:" which amendments were agreed to. Mr. Meares moved further to amend the bill by striking out the words "or dissatisfaction in the breasts of," and insert the words "or which shall have a tendency to render slaves dissatisfied with their condition as such:" which amendment was also agreed to, and the bill, as amended, was read the third time and passed, and ordered to be engrossed.

The bill to amend the several laws of this State concerning slaves and free negroes, being read the third time, Mr. Meares moved to amend the bill by striking out the whole of the bill except the words "a bill," and inserting the following, viz. "to amend the several laws now in force in this State regulating quarantine. Whereas it has become highly necessary and essential to the welfare and safety of the good people of this State, that merchant vessels or ships coming by sea from other States or countries, with free persons of colour acting as mariners, or stewards, or in any other employment or capacity, on board such vessel or vessels, should perform quarantine; and that means be adopted to prevent such persons of colour from coming into this State, or from communicating with the coloured people of this State:" which amendment was agreed to. Mr. Meares moved further to amend the bill by striking out the word "forty," wherever it occurs, and inserting the word "thirty," which amendment was also agreed to, and the bill, as amended, was read the third time and passed, and ordered to be engrossed.

The bill to amend an act, passed in the year 1826, entitled an act to prohibit the trading with slaves, except in the manner therein prescribed, being read the third time, Mr. M'Farland moved to amend the bill by adding the following as an additional section, viz. "Be it further enacted, that from and after the first day of May next, it shall not be lawful for any person or persons to buy of, traffic with, or receive from any slave e
The following bills, viz. the bill to re-enact a part of the first section of an act, passed in the year 1789, chapter 11th, entitled an act for hiring out persons on indictment or presentment, not being able or willing to pay the fees of office and jailors' fees; the bill to amend an act, passed in the year 1819, chapter 1000, entitled an act giving to the Courts of Pleas and Quarter Sessions power to regulate separate elections; and the bill to amend an act, passed in the year 1830, entitled an act to prevent free persons of colour from migrating into this State, for the good government of such persons resident in the State, and for other purposes, were severally read the third time and passed, and ordered to be engrossed.

The engrossed bill to prevent obstructing the passage of fish up the Pee Dee and Main Yadkin rivers, being read the third time, Mr. M'Farland moved to amend the bill by striking out the word "and," immediately after the word "as fined," in the last line of the first section, and inserting the word "or," and in the fourteenth line of the third section, strike out the words "sum of," and insert the words "not exceeding;" which amendments were agreed to, and the bill, as amended, was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendments.

Received from the House of Commons a message, stating that they have passed the following engrossed bills and resolution, viz. a bill to incorporate the Mecklenburg Gold Mining Company; a bill to exempt from execution a certain portion of the land of the citizens of North Carolina; and a resolution in favor of John Cammell in which they ask the concurrence of the Senate. Whereupon the said bills were read the first time and passed, and the latter one, ordered to be printed, one copy for each member of the Senate, and the resolution was read and adopted, and ordered to be enrolled.

Received from the House of Commons the resignation of E. Spence, of the county of Cumberland; the resignation of Joseph Nelson, of the county of Craven; the resignation of Auley M'Anley, of the county of Montgomery; the resignation of James D. Parker, of the county of Wilkes, justices of the peace for their respective counties; also the resignation of H. Blount, Brigadier General of the 17th brigade of North Carolina militia; and the resignation of R. C. Cotton, Colonel Commandant of the county of Chatham, endorsed in that House, "read and accepted;" and which were read and accepted by the Senate.

And the Senate then adjourned until Monday morning, 10 o'clock.

Monday, December 27, 1830.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bill, to wit: a bill fixing the fees of
the clerks of the County and Superior Courts and sheriffs' fees; in which they ask the concurrence of that House.

Mr. Williams, of Martin, from the committee on Propositions and Grievances, to whom was referred the petition of sundry citizens of the county of Wilkes, in behalf of Joshua Pennel, made a favorable report thereon, accompanied by a bill, entitled a bill to restore Joshua Pennel, of Wilkes county, to the rights and privileges of a citizen; which was read the first, second and third times and passed, and ordered to be engrossed.

Mr. Sneed, from the committee on Finance, made a report, stating that the committee, in discharge of their duty, had counted and burnt the further sum of one thousand five hundred and fifteen dollars and seventy cents of Treasury notes, unfit for circulation, and recommending the adoption of the accompanying resolution, as follows, viz.

Resolved, That William Robards, late Public Treasurer, be allowed the sum of one thousand five hundred and fifteen dollars and seventy cents, ($1515 70,) which is the amount of Treasury notes counted and burnt by the committee of Finance on the 17th instant, and that the Comptroller credit the same on his books.

Which was read and adopted; and ordered to be engrossed.

Mr. Meares, from the joint select committee, to whom was referred the bill to compel owners of slaves to employ white overseers in certain cases, reported the same with an amendment; which was read and agreed to, and the bill, as amended, was read the second time and passed.

Mr. Meares, from the same committee, to whom was referred the bill to encourage and promote the apprehension of runaway negroes in Onslow county, reported the same with an amendment; which was read and agreed to, and the bill, as amended, was read the second time and passed.

On motion of Mr. Hawkins, ordered that a message be sent to the House of Commons, proposing to ballot again immediately for Brigadier General of the 17th brigade of North Carolina militia.

Mr. Ward, from the joint select committee on Military Affairs, to whom was referred the Adjutant General's report on the state of the militia and public arms, made a detailed report thereon, accompanied by a bill, entitled a bill to authorize the Governor to strike from the list field officers for the neglect of duty, and to compel the Adjutant General to enforce the law against general officers, who resign their commissions before complying with the law now in force compelling them to equip themselves or review before they resign; which was read the first time and passed, and, on motion of Mr. Hinton, of Beaufort, ordered to be printed, one copy for each member of the Legislature.

Mr. Guinn, from the select committee, to whom was referred the resolution instructing them to inquire into the expediency of the State relinquishing to the county of Macon her right to the unsold part of 400 acres land, adjoining the town of Franklin, made a report thereon, accompanied by a bill directing the Governor to convey certain land to the county of Macon; which was read the first time and passed.

Mr. Hinton, of Wake, from the committee on the Public Buildings, made a report thereon, accompanied by the following resolutions, viz.

Resolved, That the Governor, Secretary, Treasurer and Comptroller be directed to contract with some suitable person to cover the Government House with good heart pine shingles, and painting the same, and that the Treasurer pay for the same out of any monies in the Treasury not otherwise appropriated.

Resolved further, That the said commissioners be directed to contract with some suitable person to paint the roof of the Capitol, and stop the leaks in the gutters.
Which were read the first time and passed.

Mr. Dick presented a bill to alter the lien created by the levy of a justice's execution on lands; which was read the first time and passed.

Mr. Dick also presented a bill to prevent falling of timber in the Reedy Fork of Haw river, in Guilford county; which was read the first time and passed.

Mr. Howell presented a bill to amend an act, entitled an act to authorize the County Courts in this State to direct the sheriff to sell any slave which may be taken up and confined in any jail as a runaway, after certain length of imprisonment and public notice; which was read the first time and passed.

Mr. Sneed presented the following bills, viz. a bill concerning the town of Oxford; a bill to incorporate the Trustees of the first Presbyterian Church in Oxford; a bill to exempt from taxation property held by wardens of the poor; which were severally read the first time and passed.

Received from the House of Commons a message, stating their concurrence in the amendments made by the Senate to the engrossed bill to incorporate a company, styled the Fayetteville Rail Road Company. Whereupon the said bill was ordered to be enrolled.

Received also from the House of Commons a message, stating that they have passed the following engrossed bills, viz. a bill for the relief of such persons as may suffer from the destruction of the records of Hertford county, occasioned by the burning of the Court House and clerks' offices of said county; a bill to exempt lessors of Gold Mines in certain cases from liability as copartners of lessees; and a bill to amend an act, passed in the year 1828, entitled an act to amend an act, passed in the year 1800, entitled an act concerning wrecks; in which they ask the concurrence of the Senate. Whereupon the said bills were severally read the first time and passed.

Received also from the House of Commons a message, stating that they have passed the following engrossed bills, viz. a bill to incorporate the Williamston and Windsor Turnpike Company; a bill for improving the navigation of New Hope river, in the counties of Chatham and Orange; and a bill to incorporate the White Oak Turnpike Company, in the county of Onslow; in which they ask the concurrence of the Senate. Whereupon the said bills were severally read the first time and passed.

The engrossed bill to prevent obstructions to the passage of fish up Neuse river, Brice's creek and Trent river, being read the second time, Mr. Mosely moved to amend the bill by striking out the following words, wherever they occur, viz. "or skimming net, fish traps, slide or weir," which amendment was agreed to. Mr. Mosely moved further to amend the bill by striking out the word "rise," in the eighth line of the first section, and inserting the word "set." Mr. Mosely moved further to amend the bill by striking out the words "and from sunset on Wednesday until sunset on Thursday," in the ninth and tenth lines of the same section; which amendment was agreed to. Mr. Spaight moved further to amend the bill by striking out the whole of the latter clause of the first section, which subjects persons guilty of the violations of the provisions of the bill to fine and imprisonment; which amendment was agreed to. Mr. Hinton, of Wake, moved further to amend the bill by striking
out the proviso in the last section; which amendment was not agreed to, and the bill, as amended, was read the second time and passed.

The bill making it the duty of the sheriff of the county of Surry to notify persons of the day on which their lands will be sold for taxes, being read the second time, Mr. Cowper moved to amend the bill by making its provisions extend to the county of Gates; and Mr. Hinton, of Beaufort, moved further to amend the bill by making its provisions extend to the county of Beaufort; which amendments were agreed to, and the bill, as amended, was read the second time and passed.

The bill to repeal an act of the General Assembly, passed in the year 1827, chapter 6th, entitled an act concerning the entry of lands in this State, being read the second time, Mr. Beasley moved to amend the bill by adding the following proviso, at the end thereof, viz. "Provided however, that under the provisions of this act, no person shall be allowed to enter more than six hundred and forty acres." Mr. Sneed moved that the bill, together with the amendment be postponed indefinitely; which was not agreed to, and the question recurring on the adoption of the amendment, it was decided in the negative, and the bill was read the second time and passed.

Mr. Blackwood, from the select committee appointed to consider the petition of David Rea, of Mecklenburg county, asked to be discharged from the further consideration of the subject, and moved that the said petition be referred to the committee on Claims; which was agreed to.

And the Senate then adjourned until half after 3 o'clock, this evening.

MONDAY EVENING, HALF AFTER 3 O'CLOCK.

The engrossed bill to explain and amend an act, entitled an act to provide a revenue for the payment of the civil list and contingent charges of government, passed in the year 1822, so far as it respects exhibitions of artificial curiosities, was read the third time and passed, and ordered to be enrolled.

The Speaker laid before the Senate the resignation of David Newland, a member of the Senate from the county of Burke; which was read and accepted.

The bill to erect out of a portion of the counties of Burke and Buncombe, a separate and distinct county by the name of Yancey, being read the third time, on motion of Mr. M'Kay, ordered that the said bill be laid upon the table—ayes 31, noes 28. The ayes and noes being demanded by Mr. Martin, are as follows, viz.


Those who voted in the negative, are Messrs. Blackwood, Brewer, Caldwell of Iredell, Crump, Dick, Dobson, Gudger, Guinn, Hare, Harris, Hill, Hoke, Kerr, M'Entire, M'Farland, M'Neill, Marshall, Martin, Mears, Melchor, Montgomery, Meye, Murchison, Ramsey, Ray, Sneed, Vanhook, Welch.

The engrossed bill to amend an act, passed in the year 1762, chapter 5th, section 20th, prescribing the mode in which apprentice bonds shall be taken, was read the third time and passed, and ordered to be enrolled.

Received from the House of Commons a message, agreeing to ballot immediately for Brigadier General of the 17th brigade, and stating that
Messrs. Rand and James Horton attend the Senate to conduct the ballooning on the part of that House. Whereupon Messrs. Hill and Howell were appointed to conduct the ballooning on the part of the Senate, and the House of Commons was informed thereof by message.

The bill to make husbands, after the determination of coverture, liable for the payment of the debts of their wives contracted before marriage, being read the third time, Mr. Miller moved that the said bill be indefinitely postponed; which was not agreed to—a yes, 10, noes 44. The ayes and noes being demanded by Mr. Meares, are as follows, viz.

Those who voted in the affirmative, are Messrs. Askew, Jennings, Jones, Lindsay, Martin, Mathews, Miller, Perkins, Spaight, Ward.


And the bill was read the third time and passed, and ordered to be engrossed.

The engrossed bill to exempt certain persons in the county of Beaufort from serving as jurors of the original panel, being read the third time, Mr. Hinton, of Beaufort, moved to amend the bill by inserting after the word "residing," in the fifth line, the following words: "upon the east side of Grove creek, called Grove creek Island," and after the word "of," in the tenth line, to insert the words "the inhabitants of said Island," which amendments were agreed to, and the bill, as amended, was read the second and third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendments.

Mr. Hill, from the committee appointed to conduct the ballooning for Brigadier General of the 17th brigade, reported that Joseph Arrington having received a majority of the whole number of votes, is duly elected, in which report the Senate concurred.

Mr. Montgomery presented the following resolution, viz.

Resolved, That the Secretary be authorised and requested to issue a grant to James Rainey, of the county of Orange, for one hundred and thirty-one and a half acres of land, a part of an entry made by him in 1810; for which the purchase money was paid, the receipt for which is herein enclosed.

Which was read and adopted, and ordered to be engrossed.

The bill to exempt Bibles from execution, was read the third time and passed, and ordered to be engrossed.

The following engrossed bills, viz. the bill to authorise the justices of the peace for Sampson county to purchase a tract of land, and erect thereon suitable buildings for the accommodation of the poor of the county; the bill to authorise the justices of the Court of Pleas and Quarter Sessions of the county of Northampton to employ a suitable person to transcribe a part of the records of said court; the bill supplemental to an act, passed in the year 1826, entitled an act for the better regulation of the town of Concord, in the county of Cabarrus; the bill to incorporate the Clemmons Academy, in the county of Pitt; the bill to repeal an act, passed in the year 1829, chapter 63, entitled an act to repeal so much of an act, passed in the year 1810, as prevents any persons from working seines, skimming with nets or of setting nets in Tar river, above the mouth of Fishing creek; the bill to repeal a part of the third section of an act, passed in the year 1824, entitled an act to amend an act, passed
in the year 1813, entitled an act to alter and regulate the annual elections, in Hyde county; and the bill to amend an act, entitled an act to appoint a committee of Finance for the county Sampson, were severally read the second and third times and passed, and ordered to be enrolled.

The engrossed bill to authorise Daniel Graham, of the county of Cumberland, to erect a gate across the road leading from Fayetteville to Tarborough, being read the second time, Mr. Askew moved that the further consideration thereof be indefinitely postponed; which was not agreed to, and the bill was read the second and third times and passed, and ordered to be enrolled.

The engrossed bill for the more perfect administration of justice in capital cases, was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendments.

The engrossed bill for the regulation of the Court of Pleas and Quarter Sessions of the county of Anson, was read the second time and passed.

And then the Senate adjourned until to-morrow morning, 10 o'clock.

TUESDAY, DECEMBER 28, 1830.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills and resolutions, viz. A bill to exempt Bibles from execution; a bill to make husbands, after the determination of coverture, liable to the payment of the debts of their wives, contracted before marriage; a bill to restore Joshua Pennel, of Wilkes county, to the rights and privileges of a citizen; a bill to amend the several laws now in force in this State, regulating quarantine; a bill to appoint commissioners to superintend the building of a Court House in the county of Burke, and to prescribe the manner in which the sheriff shall pay over the tax laid for the building of the same in the said county; a resolution in favor of William Robards; and a resolution in favor of James Rainey; in which they ask the concurrence of that House.

Mr. Sneed, from the committee of Finance, to whom was referred the resolution in favor of Binum W. Bell, sheriff of Macon county, made an unfavorable report thereon, and ask to be discharged from the further consideration of the subject; in which report the Senate concurred, and the committee was discharged accordingly.

Mr. Meares, from the joint select committee, to whom was recommitted the bill to prevent slaves from attending muster or election grounds on the days of muster or election, reported the same with sundry amendments; which were read and agreed to.

Mr. Meares, from the joint select committee on so much of the Governor's message as relates to slaves and free persons of colour, reported the following bills, to wit: A bill to prohibit the meeting of slaves in the night, and to restrain their meeting in the day to the presence of three discreet white persons, and for other purposes; and a bill more effectually to prevent intermarriages between free negroes or free persons of colour, and white persons and slaves, and for other purposes; which were read the first time and passed.

On motion of Mr. Spaight, ordered that a message be sent to the House of Commons, proposing to ballot immediately for cavalry officers of the second brigade, and stating that James Harper is in nomination for Colonel, and Samuel D. Pope for Major.
On motion of Mr. Martin, ordered that Peter Sinclair have leave to withdraw from the files of the Senate the paper and documents, accompanying his petition, presented to the Senate at the present session.

On motion of Mr. Guinn, ordered that Bynum W. Bell have leave to withdraw from the files of the Senate, the documents accompanying the resolution in his favor, presented during the present session.

On motion of Mr. Sherard, ordered that James Daniel have leave to withdraw from the files of the Senate, the certificate and documents, accompanying his petition, presented to the Senate at the session of 1828.

Mr. Ward presented a bill to amend an act, passed at the last session of the General Assembly, chapter 5th, to compensate jurors of the counties of Beaufort, Onslow, Hyde, Anson, Columbus and Duplin, so far as respects the county of Onslow; which was read the first time and passed.

Mr. Melchor presented a bill to amend an act, passed in 1821, entitled an act providing further punishment for harboring or maintaining runaway slaves; which was read the first time and passed.

Mr. Hinton, of Wake, presented a bill to amend an act, passed in 1819, chapter 103, entitled an act to prevent obstructions to the passage of fish up Neuse river, Conteniece creek and Little river; which was read the first time and passed.

On motion of Mr. Caldwell, of Iredell, the Senate proceeded to consider the bill, to erect out of a portion of the counties of Burke and Buncombe, a separate and distinct county, by the name of Yancey; and the bill being read the third time, Mr. M'Kay moved to amend the bill by adding the following as an additional section, viz. "Be it further enacted, that should another county, with the right of representation in the General Assembly, at any time hereafter, within the period of ten years, be established in any part of the State, (excepting in what is commonly called the Cherokee Country,) westwardly of a line passing north and south through the city of Raleigh, then this act shall be null and void." Mr. Martin moved to amend the amendment by striking out the words "westwardly of a line passing north and south through the city of Raleigh," which was not agreed to. Mr. Mathews moved that the bill, together with the amendment, be indefinitely postponed, which was not agreed to—ayes 30, noes 31. The ayes and noes being demanded by Mr. Mathews, are as follows, to wit:


Those who voted in the negative, are Messrs. Blackwood, Borden, Brower, Caldwell of Iredell, Crump, Dick, Dobson, Gudger, Guinn, Harris, Hall, Hill, Hoke, Jones, Kerr, M'Kay, M'Entire, M'Farland, M'Neil, Marshall, Martin, Meares, Melchor, Miller, Montgomery, Murchison, Ramsey, Ray, Sneed, Vanhook, Welch.

The question then recurring on the adoption of the amendment proposed by Mr. M'Kay, it was decided in the negative—ayes 19, noes 42. The ayes and noes being demanded by Mr. Murchison, are as follows, to wit:


The question then recurring on the passage of the bill the third time, it was decided in the negative—ayes 28, noes 33. The ayes and noes being demanded by Mr. Lindsay, are as follows, viz.


The bill to repeal an act of the General Assembly, passed in the year 1827, chapter 6th, entitled an act concerning the entry of lands in this State, being read the third time, Mr. M'Kay moved to amend the bill by striking out the whole thereof, except the word a bill, and insert in lieu thereof a substitute, which being read, Mr. Beasley moved to amend the substitute by adding the following proviso, viz. "Provided always, that nothing contained in the provisions of this act shall be so construed as to prevent entries at all times to be made for juniper swamp;" which amendment was not agreed to. Mr. Borden moved to amend the substitute by striking out the word "two," in the fourth line, and insert the word "three;" which amendment was not agreed to, and the substitute was thereupon read and agreed to; and the bill, as amended, was read the third time and passed, and ordered to be engrossed.

Received from the House of Commons a message, agreeing to ballot immediately for cavalry officers of the second brigade, and stating that Messrs. Calloway and Sasser attend the Senate to conduct the balloting on their part. Whereupon Messrs. Hall and M'Neill were appointed to conduct the balloting on the part of the Senate, and the House of Commons was informed thereof by message.

The bill to compel retailers of spirituous liquors by the small measure to take an oath and give bond with security, before receiving license, not to sell spirituous or fermented liquors, powder, shot, lead or fire-arms to a slave, being read the second time, Mr. Guinn moved to amend the bill by adding the following proviso, to wit: "Provided, that the provisions of this act shall not extend to the county of Macon;" which amendment was not agreed to. Mr. Skinner moved to amend the bill by striking out that part thereof which requires that the applicant shall take an oath before securing license. And Mr. Askew moved that the bill, together with the amendment, be indefinitely postponed; which was agreed to—ayes 34, noes 24. The ayes and noes being being demanded by Mr. Hinton, of Beaufort, are as follows, viz.


Those who voted in the negative, are Messrs. Barnes, Beasley, Borden, Davenport, Dickison, Hall, Hinton of Wake, Jennings, Lindsay, M'Daniel, M'Kay, M'Neill, Meares, Melcher, Miller, Mosely, Moye, Murchison, Spaight, Selby, Sherrard, Sneed, Ward and Welch.

A motion was made by Mr. Dick, to reconsider the vote just taken on the indefinite postponement of the bill to compel retailers of spirituous liquors by the small measure, to take an oath, and give bond with security
before receiving license, &c.; and on the question, will the Senate recon-
consider the said vote? it was determined in the affirmative. Whereupon Mr.
Meares moved to amend the bill by inserting after the word "measure," in
the title of the bill, the following, to wit: "in the counties of New Han-
over, Brunswick, Bladen, Pitt, Wayne, Greene, Onslow, Carteret, Cumber-
land and Duplin" and in the fourteenth line of the same section, strike out the word "five," and insert the word "two;" which amend-
ments were agreed to, and the bill, as amended, was read the second time and
passed.

Mr. Hall, from the committee appointed to conduct the balloting for ca-
vally officers of the 2d brigade, reported that James Harper, having re-
ceived a majority of the whole number of votes, is duly elected Colonel;
and that Samuel D. Pope, having also received a majority of the votes,
is duly elected Major of cavalry of the second brigade of North Carolina
militia.

And then the Senate adjourned until this evening, half after 5 o'clock.

TUESDAY EVENING, HALF AFTER 5 O'CLOCK.

The engrossed bill concerning the summoning of jurors, was read the
second time and passed; and the bill declaring that the repeal of a statute
shall not affect suits brought before the repeal, was read, the second and
third times and passed, and ordered to be engrossed.

The bill to prohibit the circulation in this State after the time therein
mentioned of Bank notes under five dollars, issued by the Banks of other
States, being read the second time, Mr. Kay, moved to amend the bill
by striking out the whole thereof, except the enacting clause, and to in-
sert in lieu thereof a substitute; which being read, Mr. Dick moved to fill
the blank therein with the words "fourth of July 1832," which was agreed to,
and the substitute, as amended, was agreed to. Mr. Montgomery moved that the bill be postponed until to-morrow; which was not
agreed to, and the bill, as amended, was read the second time and
passed—ayes 37, noes 21. The ayes and noes being demanded by Mr.
Guinn, are as follows, viz.

Those who voted in the affirmative, are Messrs. Askew, Beasley, Borden, Browne,
Cowper, Cump, Davenport, Dick, Dickenson, Givin, Hare, Hawkins, Hinton of W. Howell,
Jeffings, Kerr, Lindsay, M'Daniel, M'Kay, M'Neill, Mearse, Miller, Mosly, Moyer,
Murchison, Perkins, Spight, Selby, Sherard, Simmons, Skinner, Sneed, Walton, Williams

Those who voted in the negative, are Messrs. Blackwood, Caldwell of I. Dobson, Gud-
ger, Guinn, Hall, Harris, Hinton of B. Hoke, Jones, M'Entire, M'Farland, Marshall,
Martin, Mathews, Melebor, Montgomery, Ramsey, Ray, Vanhook, Welch.

The engrossed bill concerning the payment of jurors in the county of Martin,
being read the second time, Mr. Williams, of Martin, moved
to amend the bill by striking out in the fourth and fifth lines of the first
section, the following words, viz. "from and after the passage of this act." Mr. Williams, of Martin, moved further to amend the bill by striking
out the figures "1831," in the third line of the first section, and inserting
the figures "1832," and also to strike out the whole of the last sec-
tion; which several amendments were agreed to, and the bill, as amended,
was read the second and third times and passed, and a message sent to
the House of Commons, asking their concurrence in the amendments.

Received from the House of Commons a message, stating that they have
passed the following engrossed bills, viz. a bill to authorise the appoint-
ment of commissioners to take the acknowledgment and proof of deeds
and instruments under seal, and depositions; a bill to authorize the commissioners of the town of Hillsborough to sell all or so much of the town commons as they may think proper; and a bill for the better regulation of the town of Edenton; in which they ask the concurrence of the Senate. Whereupon the said bills were severally read the first time and passed.

Received also from the House of Commons a message, stating that they have passed the engrossed bill to amend an act, passed at the last session, entitled an act concerning fishing in the waters of Blount's creek, with an amendment, viz. in the first section, strike out the word "midnight," wherever it occurs, and insert the words "sun set;" in which amendment the Senate concurred, and the House of Commons was informed thereof by message.

A message was also received from the House of Commons, stating their concurrence in the amendments to the engrossed bill to authorise the County Courts of Lincoln, Haywood, Brunswick and Hyde to appoint committees of Finance; and the engrossed bill for the better regulation of the Courts of Pleas and Quarter Sessions of the county of Haywood. Whereupon the said bills were ordered to be enrolled.

The bill to limit the time within which parties interested shall claim equities of redemption in personal property hereafter mortgaged, was read the third time and passed, and ordered to be engrossed; and the engrossed bill to authorise the commissioners of the town of Hillsborough to sell all, or so much of the town common as they may think proper; and the engrossed bill for the better regulation of the town of Edenton, were read the second and third times and passed, and ordered to be enrolled.

The engrossed bill for the better regulation of the Court of Pleas and Quarter Sessions of the county of Anson, was read the third time and passed, and ordered to be enrolled.

The bill making it the duty of the sheriff of the counties of Surry, Gates and Beaufort to notify persons of the day on which their lands will be sold for taxes; and the bill to compel owners of slaves to keep white persons as overseers in certain cases in the counties of Brunswick and New Hanover, were read the third time and passed, and ordered to be engrossed.

The bill to prevent the falling of timber in the Reedy fork of Haw river, in Guilford county; and the bill concerning the town of Oxford, were read the second and third times and passed, and ordered to be engrossed.

Received from the House of Commons a message, agreeing to the amendments made by the Senate to the engrossed bill to make valid certain official acts of Ezekiel Brown, surveyor for the county of Davidson; and also to the amendments made by the Senate to the engrossed bill to prevent obstructing the passage of fish up the Pee Dee and Main Yadkin rivers. Whereupon the said bills were ordered to be enrolled.

Received from the House of Commons a message, stating that they concur in the first and third amendment made by the Senate to the engrossed bill concerning the clerk of the Superior Court of the county of Currituck, but do not concur in the second amendment. Whereupon, on motion of Mr. Wilson, ordered that a message be sent to the House of Commons, stating that the Senate insist on the said second amendment to the said bill.
The bill to encourage and promote the apprehension of runaway negroes in Onslow and the other counties therein named, being read the third time, Mr. Meares moved to amend the bill by filling the blank in the fifth line, with the words "twenty-five;" which amendment was agreed to. Mr. Meares moved further to amend the bill by inserting after the word "slave," in the third line of the fourth section, the following words: "over fifteen years of age." Mr. Borden moved further to amend the bill by making its provisions extend to the county of Carteret; which amendments were also agreed to. Mr. Hall moved further to amend the bill by striking out the word "seventy-five," in the sixth line of the second section, and inserting the word "ninety;" and in the seventh line of the same section, strike out the word "fifty," and insert the word "eighty;" which amendment was not agreed to, and the bill was read the third time as amended, and passed and ordered to be engrossed.

The following engrossed bills, to wit: the bill to incorporate the Williamson and Windsor Turnpike Company; the bill for the relief of such persons as may suffer from the destruction of the records of Hertford county, occasioned by the burning of the court house and clerks' offices of said county; and the bill to incorporate the White Oak Turnpike Company in the county of Onslow, were severally read the second time and passed.

Received from the House of Commons a message, stating that they have rejected the following engrossed bills, to wit: A bill to make it lawful for jurors to prove their services before any justice of the peace for the county of Surry; and a bill to repeal part of an act, passed in 1827, prescribing the manner in which lands should thereafter be advertised for sale for taxes in the counties of Anson and Surry.

Received from the House of Commons, the resignation of David Karr, Colonel Commandant of the 69th regiment of North Carolina militia, endorsed in that House "read and accepted:" and which was read and accepted by the Senate.

And the Senate then adjourned until to-morrow morning, 10 o'clock.

Wednesday, December 29, 1830.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, to wit: A bill to amend an act, passed in the year 1819, chapter 1000, entitled an act giving the Courts of Pleas and Quarter Sessions power to regulate separate elections; a bill to re-enact part of the first section of an act, passed in the year 1787, chapter 11th, entitled an act for hiring out persons convicted on indictment or presentment, not being able or willing to pay the fees of office or jailor's fees; a bill to amend an act, passed in the year 1826, entitled an act to prevent free persons of colour from migrating into this State, for the good government of such persons resident in the State, and for other purposes; a bill to prevent the circulation of seditious publications, and for other purposes; a bill to amend an act, passed in the year 1826, entitled an act to prohibit the trading with slaves, except in the manner therein prescribed; a bill more effectually to prevent the depredations of runaway slaves, and to promote their apprehension in the counties of Onslow, Jones, Craven, Lenoir, New Hanover, Brunswick and Carteret; a bill making it the duty of the sheriffs of the counties of Surry, Gates and Beaufort to notify per-
sons of the day on which their lands will be sold for taxes; a bill to prevent the falling of timber in the Reedy Fork of Haw river, in Guilford county; a bill to limit the time within which parties interested shall claim equities of redemption in personal property hereafter mortgaged; a bill concerning the town of Oxford; a bill to compel owners of slaves to keep white persons as overseers on their plantations in certain cases, in the counties of Brunswick and New Hanover; and a bill declaring that the repeal of a statute shall not affect suits brought before the repeal; in which they ask the concurrence of that House.

Mr. Williams, of Martin, from the committee on Propositions and Grievances, to whom was referred the petition of William Roan and sundry other citizens of the county of Nash, made an unfavorable report thereon, recommending that the prayer of the petitioners be not allowed; in which report the Senate concurred.

Mr. Williams, of Martin, from the same committee, to whom was referred the memorial of Benjamin F. Dunkin, of the city of Charleston, made an unfavorable report thereon, recommending that the prayer of the petitioner be not allowed; in which report the Senate concurred; and, on motion of Mr. Dick, ordered that the petitioner have leave to withdraw from the files of the Senate his petition and accompanying papers.

Mr. M'Kay presented a bill fixing the fees of inspectors of ton and steam mill timber, for the port of Wilmington; which was read the first and second times and passed.

Mr. Williams, of Martin, presented a bill to incorporate Williams' Academy, in the county of Martin; which was read the first time and passed.

Mr. Guinn presented a bill to encourage the discovery of mines in the county of Macon; which was read the first time and passed, and, on motion of Mr. Guinn, ordered to be laid upon the table.

Mr. Sneed, from the committee on Finance, reported the following resolutions, viz.

Resolved, That the Public Treasurer sell, at public or private sale, on a credit of one, two and three years, with interest from the day of sale, requiring bond and security to be approved of by him, the following property, viz. The Bushy branch tract of land, and the blacksmith's shop and stable lots, in the city of Raleigh, which were purchased by the State at the sale of the property of the late John Haywood, Esq.; also the Machine tract of land, purchased by the State at the sale made by the sheriff of Wake, by virtue of an order of sale at the instance of the State, against the heirs and devisees of said Haywood; Provided, that in no case is he authorised to sell for a less price than that at which the State purchased.

Resolved further, That in case the Treasurer is unable to make sale of the property as before directed, he rent the same for the year 1831.

And the resolutions being read, on motion of Mr. Sneed, they were ordered to be laid upon the table.

Received from the House of Commons a message, stating their concurrence in the amendments made by the Senate to the engrossed bill for the more perfect administration of justice in capital cases; and also in the amendments made to the engrossed bill to prevent obstructions to the passage of fish up Neuse river, Brice's creek and Trent river. Whereupon the said bills were ordered to be enrolled.

Received also from the House of Commons a message, stating that they concur in the first and second amendments made by the Senate to the engrossed bill to exempt certain persons in the county of Beaufort from serving as jurors of the original pannel; but do not agree to the third
amendment. Whereupon, on motion of Mr. Hinton, of Beaufort, ordered that a message be sent to the House of Commons, stating that the Senate recede from the said third amendment; and the bill was thereupon ordered to be enrolled.

Received also from the House of Commons a message, stating that they have postponed indefinitely the following engrossed bills, viz. A bill to restore Joshua Pennell, of Wilkes county, to the rights and privileges of a citizen; and a bill to make husbands, after the determination of coverture, liable to the payment of the debts of their wives contracted before marriage.

A message was also received from the House of Commons, stating that they have passed the engrossed resolution in favor of James Rainey, of Orange county, with an amendment, viz. In the second line, strike out the word "requested," and insert the word "required;" which amendment was concurred in by the Senate, and the House of Commons was informed thereof by message.

The engrossed bill concerning those persons who are interested in the beach and marshy lands lying in the county of Currituck, was taken up, on motion of Mr. Lindsay, and read the second and third times and passed, and ordered to be enrolled.

The bill to amend the law of distribution of personal estate was taken up, on motion of Mr. Dick, and read the second time. Mr. Murchison moved to amend the bill by striking out the word "and," in the tenth line of the first section, and insert the word "or;" which amendment was not agreed to. Mr. Murchison moved further to amend the bill by adding the following as an additional section, viz. "And be it further enacted, that from and after the passage of this act, where any person possessed of personal property, shall die intestate, without issue, or husband, or wife, having a father, or brothers, or sisters of the whole blood, such personal property shall be distributed equally between the fathers and brothers and sisters of the whole blood, share and share alike;" which amendment was agreed to. Mr. M'Kay moved further to amend the bill by striking out the following words in the tenth and eleventh lines of the first section, viz. "and under the age of twenty-one years;" which amendment was also agreed to, and the bill, as amended, was read the second time and passed.

The bill to prohibit the circulation in this State, after the time therein mentioned, of bank notes under five dollars, issued by the banks of other States, being read the third time, Mr. Hoke moved to amend the bill by striking out the word "five," in the last line of the first section, and inserting the word "one;" which amendment was not agreed to. Mr. Guinn moved to amend the bill by striking out the word "five," in the same line, and insert the word "two." Mr. Martin moved that the amendment be postponed until the third Monday of November next; which was not agreed to—ayes 26, noes 33. The ayes and noes being demanded by Mr. Martin, are as follows, viz.


Those who voted in the negative, are Messrs. Askew, Beasley, Borden, Cowper, Crump, Davenport, Dick, Dickinson, Gavin, Hare, Hinton of Wake, Howell, Jennings, Lindsay, M'Kay, M'Neil, Mathews, Meares, Miller, Mosely, Moyo, Murchison, Perkins, Spaight.

The question then recurring on the amendment proposed by Mr. Guinn, it was decided in the negative. Mr. Caldwell, of Iredell, moved further to amend the bill by striking out the figures "1832," in the third line, and inserting the figures "1834" which amendment was not agreed to and the bill was read the third time and passed, and ordered to be engrossed—ayes 34, noes 25. The ayes and noes being demanded by Mr. Caldwell, of Iredell, are as follows, viz.


The engrossed bill concerning the summoning of jurors, was read the third time and passed, and ordered to be enrolled.

The bill to vest the right of electing the clerks of the Superior and County Courts of the several counties within this State, in the free white persons entitled to vote for members of the House of Commons, being read the second time, Mr. Borden moved that the further consideration thereof be postponed indefinitely; which was not agreed to—a yes 27, noes 34. The ayes and noes being demanded by Mr. Borden, are as follows, viz.


And the Senate then adjourned until this evening, 4 o'clock.

Wednesday Evening, 4 o'clock.

Received from the House of Commons a message, stating that they have passed the following engrossed bills and resolution, viz. A bill to authorize James H. Martin and William Hough to build a gate across the road leading from Wadesborough, in the county of Anson, to Dumas' ferry, on Great Pedee river; a bill to extend the provisions of an act, passed in the year 1811, entitled an act to establish a poor house in the county of Orange; a bill for the better regulation of the town of Waynesborough, in the county of Wayne; and a resolution instructing the Governor, &c.; in which they ask the concurrence of the Senate. Whereupon the said bills were severally read the first time and passed, and the resolution was read and adopted, and ordered to be enrolled.

The bill to compel retailers of spirituous liquors by the small measure, in the counties therein mentioned, to take an oath and give bond with security before receiving license not to sell spirituous or fermented liquors, powder, shot, lead or fire-arms to a slave, was taken up on motion of Mr. Spaight, and read the third time and passed, and ordered to be engrossed.
The engrossed bill to incorporate the Williamston and Windsor Turnpike Company, being read the third time, Mr. Askew moved to amend the bill by adding the following as an additional section, viz. "And be it further enacted, that this act shall be in force sixty years; provided however, that it shall be subject to the revisal, amendment or repeal of the next General Assembly," which amendment was agreed to, and the bill, as amended, was read the third time and passed; and a message sent to the House of Commons, asking their concurrence in the amendment.

The engrossed bill for the relief of such persons as may suffer from the destruction of the records of Hertford county, occasioned by the burning of the court house and clerks' offices of said county, was read the third time and passed, and ordered to be enrolled.

The engrossed bill to incorporate the White Oak Turnpike Company, in the county of Onslow, being read the third time, Mr. Ward moved to amend the bill by striking out, in the third and fourth lines of the twelfth section, the words "near James Thompson's, through the pocosin," and inserting the words "leading from the Half Moon bridge to Onslow court house, to be cut through the Pocosin the nearest and most practicable way from Onslow court house;" which amendment was agreed to. Mr. Ward moved further to amend the bill by adding the following proviso at the end of the last section, viz. "Provided that if the provisions of this act are not carried into effect in 20 years, it shall be null and void;" which amendment was also agreed to, and the bill, as amended, was read the third time and passed; and a message sent to the House of Commons, asking their concurrence in the amendments.

The bill fixing the fees of inspectors of ton or steam mill timber, for the port of Wilmington, being read the third time, Mr. Meares moved to amend the bill by striking out the word "fifteen," in the seventh line of the first section, and inserting the word "twenty;" which was not agreed to, and the bill was read the third time and passed, and ordered to be engrossed.

The bill to incorporate Williams' Academy, in the county of Martin, was read the second and third times and passed, and ordered to be engrossed.

The engrossed bill for improving the navigation of New-Hope river, in the counties of Chatham and Orange, being read the second time, Mr. M'Farland moved to amend the bill by adding the following as an additional section, viz. "And be it further enacted, that the said company shall be liable, in their individual capacity, for all debts they may contract;" which amendment was not agreed to, and the bill was read the second time and passed.

The bill to incorporate the trustees of the First Presbyterian church, in the town of Oxford, being read the second time, on motion of Mr. M'Kay, ordered that the said bill be indefinitely postponed—aye's 46; noes 00.

The ayes and noes being demanded by Mr. Sherard, are as follows, viz.


The bill to prevent slaves from attending muster or election grounds on
the days of muster or election, in the counties therein mentioned, being read the second time, Mr. Sherard moved to insert the word "Wayne;" Mr. Borden moved to insert the word "Carteret;" Mr. Wilder moved to insert the word "Johnston;" Mr. Hall moved to insert the word "Brunswick;" and Mr. Lindsay moved to insert the word "Currituck;" which several amendments were agreed to, and the bill, as amended, was read the second and third times and passed, and ordered to be engrossed.

The bill to amend an act, passed in the year 1819, chapter 103, entitled an act to prevent obstructions to the passage of fish up Neuse river, Contentnea creek and Little river, being read the second time, Mr. Sherard moved to amend the bill by striking out the words "Contentnea creek and Little river," wherever they occur; which amendment was agreed to. Mr. Spaight moved further to amend the bill by adding the following proviso, at the end thereof, viz. "Provided this act shall not be construed as to prevent persons from fishing in the channels of said river with seines or nets;" which amendment was also agreed to, and the bill, as amended, was read the second and third times and passed, and ordered to be engrossed.

The engrossed bill for the better regulation of the town of Waynesboro', in the county of Wayne, being read the second time, Mr. Sherard moved to amend the bill by inserting after the name of "James Rhodes," in the fourth line of the first section, the names of "John Wright and Richard Jernigan;" which amendment was agreed to, and the bill, as amended, was read the second and third times and passed, and a message sent to the House of Commons, asking their concurrence in the amendments.

The bill to amend an act, passed at the last session, chapter 5th, to compensate jurors for the counties of Beaufort, Onslow, Hyde, Anson, Columbus and Duplin, so far as respects the county of Onslow, was read the second and third times and passed, and ordered to be engrossed.

The engrossed bill to extend the provisions of an act, passed in the year 1800, entitled an act to establish a poor house in the county of Orange; and the engrossed bill to authorize James H. Martin and William Hough to build a gate across the road leading from Wadesboro', in the county of Anson, to Dumas' ferry on Great Pedee river, were read the second and third times and passed, and ordered to be enrolled.

The bill for the regulation of the patrol, being read the second time, Mr. Gudger moved to amend the bill by inserting after the word "State," in the seventh line of the first section, the words "should the court deem it necessary." Mr. Meares moved further to amend the bill by inserting after the word "year," in the ninth line of the same section, the words "or any subsequent court." Which amendments were agreed to. Mr. Meares moved further to amend the bill by striking out all of the second section, after the word "taxes," in the eighth line, and insert the following: "and be applied under the direction of the County Courts to defray the expenses of the patrol;" which amendment was also agreed to. Mr. Meares moved further to amend the bill by adding two additional sections; which were read and agreed to, and the bill, as amended, was read the second time and passed.

And then the Senate adjourned until to-morrow morning, 10 o'clock.
A message was sent to the House of Commons, stating that the Senate have passed the following engraved bills, viz. a bill to amend an act, passed in the year 1826, entitled an act concerning the entry of land in this State; a bill to amend an act, passed at the last session of the General Assembly, chapter 55, to compensate jurors of the counties of Beaufort, Onslow, Hyde, Anson, Columbus and Duplin, so far as respects the county of Onslow; a bill to compel retailers of spirituous liquors by the small measure in the counties therein mentioned to take an oath and give bond, with security, before receiving licenses, not to sell spirituous or fermented liquors, powder, shot, lead or fire arms to a slave; a bill fixing the fees of inspectors of ton or steam mill timber for the port of Wilmington; a bill to amend an act, passed in 1819, chapter 103, entitled an act to prevent obstructions of the passage of fish up Neuse river; a bill to prohibit the circulation in this State, after the time therein mentioned, of Bank notes under five dollars, issued by the Banks of other States; and a bill to incorporate Williams Academy, in the county of Martin; in which they ask the concurrence of that House.

Mr. Ward, from the committee on Military Affairs, to whom was referred the bill to amend the militia laws of this State, reported the same with an amendment; which was read and agreed to, and the bill was made the order of the day for to-morrow.

Mr. Hinton, of Beaufort, presented the following resolution, viz.

Resolved, That the Speaker of the Senate and Speaker of the House of Commons adjourn their respective Houses on Saturday, the 5th of January next, sine die.

Which was read, and, on motion of Mr. Hinton, of Beaufort, ordered to be laid upon the table.

Mr. M'Farland presented the following resolution, viz.

Resolved, That the Public Treasurer be authorised to use any part of the Literary Fund (should it be necessary) for the payment of contingent charges of government, and the redemption of Treasury notes for the ensuing year; and that he refund the said amount to the Literary Fund, and report the same in his annual report.

Which was read, and, on motion of Mr. M'Kay, ordered to be laid upon the table.

Mr. Jones presented a bill to appoint commissioners to view, mark and lay off a road from the neighbourhood of Fort Defiance, in Wilkes county, across the Blue Ridge to the turnpike road at or near the Three Forked Meeting House, in Ashe county; which was read the first time and passed.

The resolution in favor of Theodoric P. Birchett and John Logan, was read the second and third times and passed, and ordered to be engrossed.

Mr. Hinton, of Wake, presented a bill to establish Spring Field Academy, in the county of Wake, and to incorporate the Trustees thereof; which was read the first time and passed.

The bill to amend the law of distribution of personal estates, was read the third time and passed, and ordered to be engrossed.

The bill more effectually to subject the lands of a deceased debtor to the payment of his or her debts, was taken up, on motion of Mr. Dick, and read the second and third times and passed, and ordered to be engrossed.

The bill to amend an act, passed in 1828, entitled an act to amend the law with respect to the collection of debts from the estates of deceased persons; and the law in relation to the levying of executions issued by
justices of the peace, was taken up, on motion of Mr. Dick, and read the second time and passed.

The bill for the regulation of the patrol; was read the third time and passed, and ordered to be engrossed.

The engrossed bill to incorporate the Mecklenburg Gold Mining Company, being read the second time, Mr. Martin moved to amend the bill by adding the following, as an additional section, viz. "Be it further enacted, that the president of said corporation shall usually reside in the county of Mecklenburg, and all process served on him, or on any member of said corporation in absence of the president, shall be good and valid in law for the recovery of all debts and demands due and owing by said corporation;" which amendment was agreed to. Mr. Montgomery moved further to amend the bill by adding the following proviso, at the end of the third section, viz. "And provided further, that all meetings of the stockholders of said company shall be held within the limits of the State of North Carolina;" which amendment was also agreed to. Mr. Montgomery moved further to amend the bill by adding the following, as an additional section, viz. "And be it further enacted, that the individual property of the stockholders in said company shall be bound for the debts contracted by the authorised agents, or other persons acting under the authority of said company; provided the corporate funds of the company within this State shall first be liable for said debts;" and Mr. Wilson moved further to amend the bill by adding the following as an additional section, viz. "And be it further enacted, that nothing contained in the provisions of this act, shall be so construed as to authorise the said corporation to transact business for banking purposes;" which amendments were also agreed to, and the bill, as amended, was read the second time and passed.

Mr. Sneed, from the committee on Finance, to whom was referred the resolution instructing said committee to examine into, settle and adjust the accounts of William Robards, late Public Treasurer, from the commencement of the current fiscal year to the expiration of the term for which he was elected, made a detailed report thereon, accompanied by the following preamble and resolution, to wit:

Whereas it appears by the report of the committee of Finance, that William Robards, Esq. late Public Treasurer of this State, in compliance with the directions of a resolution, passed at the present session, had fully and fairly settled with said committee of Finance his public accounts up to the 22d December, 1830, and hath fully accounted for, surrendered and paid over to said committee, all the bonds, money and funds belonging to the State, and all the books, papers, property, and effects belonging to the office of Public Treasurer, according to the true meaning and intention of his obligation:

Be it therefore resolved, That the Comptroller be, and he is hereby directed to balance the accounts of William Robards, Esq. late Public Treasurer, in the books of his office.

On motion of Mr. McFarland, ordered that said report be printed, one copy for each member of the Legislature, and that the resolution be laid upon the table.

The bill to secure to creditors an equal and just division of the estate of debtors who convey to assignees for the benefit of creditors, being read the second time, Mr. Meares moved to amend the bill by adding the following proviso at the end of the section, viz. "Provided, such assignee has accepted the trusts reposed in him by the assignment or become party thereto;" which amendment was agreed to, and the bill, as amended, was read the second time and passed—ayes 55, noes 2. The ayes and noes being demanded by Mr. Cowper, are as follows, viz.

Those who voted in the negative, are Messers. Dickinson and Ward.

The bill to amend an act, passed in the year 1799, entitled an act to amend an act, entitled an act for the better observation and keeping of the Lord's day, commonly called Sunday, and for the more effectual suppression of vice and immorality, passed in the year 1741, was read the second time and passed.

The bill to provide for the final settlement of executors and administrators, being read the second time, Mr. M'Kay moved to amend the bill by inserting after the word "issue," in the seventh line of the third section, the following words: "if the said court shall deem it necessary;" and in the twelfth line of the same section, after the word "just," insert the following: "or the court shall so determine;" which amendments were agreed to. Mr. M'Kay moved further to amend the bill by striking out the following words in the latter part of the same section, viz. "and in case the jury find against the justness of the said claim," and insert in lieu thereof the word "otherwise;" which amendment was also agreed to. Mr. M'Kay moved further to amend the bill by adding the following as an additional section, viz. "Be it further enacted, that nothing herein contained shall be so construed to prevent executors or administrators to settle his, her or their accounts in the manner now practised;" which amendment was also agreed to, and the bill, as amended, was read the second time and passed.

And the Senate then adjourned until this evening, half after 3 o'clock.

Thursday Evening, half past 3 o'clock.

Received from the House of Commons a message, stating that they have passed the following engrossed bills, viz. A bill to incorporate the Dorcas Society, in Elizabeth City; a bill for the encouragement of light infantry, volunteer cavalry or rifle companies in the county of Hertford; and a bill to authorise Aquilla Day, otherwise called Aquilla Wilson, a free person of colour, to reside in this State; in which they ask the concurrence of the Senate. Whereupon the said bills were severally read the first time and passed.

The engrossed bill to authorise Aquilla Day, otherwise Aquilla Wilson, a free person of colour, to reside in this State, was read the second and third times and passed, and ordered to be enrolled.

Received from the House of Commons a message, stating that they have passed the following engrossed bills, viz. A bill concerning the militia of Iredell county; a bill to incorporate the Woodsville Academy, in the county of Perquimons; a bill directing the sheriff of Macon county to pay over certain monies therein mentioned; a bill for the compensation of certain jurors of the county of Haywood; and a bill directing the manner in which jurors may be summoned in certain cases; in which they ask the concurrence of the Senate. Whereupon the said bills were severally read the first time and passed.

Received also from the House of Commons a message, accompanied by
a report from a committee of that House on the propriety and expediency of applying to the General Government to establish a branch of the United States* Mint within this State, and proposing that the said report be printed, one copy for each member of the Legislature; which proposition was agreed to, and the House of Commons was informed thereof by message.

Received also from the House of Commons a message, stating that they have passed the following engrossed bills and resolution, viz. A bill to alter the time of holding the superior Courts of Law and Equity for the counties of Carteret, Onslow, Lenoir and Craven, and to lengthen the term of Craven Superior Court; a bill to authorise the justices of the peace of the county of Moore to compel the several officers therein named to hold their respective offices at or near the court house; a bill to incorporate the Fayetteville Female School of Industry; a bill to exempt from the corporate laws of the town of Halifax certain lots or tracts of land lying beyond the limits of the original charter of said town; a bill to authorise the County Court of Stokes to regulate the compensation of court officers; a bill to authorise the Court of Pleas and Quarter Sessions of the county of Jones to appoint commissioners for the town of Trenton; and a resolution in favor of William R. Hill; in which they ask the concurrence of the Senate. Whereupon the said bills and resolution were severally read the first time and passed.

A message was also received from the House of Commons, stating that they have passed the following engrossed bill and resolutions, viz. A bill to amend an act, passed in the year 1830, authorising the County Court of Rutherford to hold a Court of Probate in said county; a resolution in favor of Hugh Black, of Moore county; and a resolution in favor of David Smith, of Sampson county; in which they ask the concurrence of the Senate. Whereupon the said bill was read the first time and passed; and the resolutions were read and adopted, and ordered to be enrolled.

The engrossed bill for the improvement of New Hope river, in the counties of Chatham and Orange, being read the third time, Mr. McKay moved to amend the bill by adding the following as an additional section, to wit: "Be it further enacted, that the Legislature may modify, alter or repeal this act, upon condition, nevertheless, that no modification or alteration shall annul or invalidate the contracts made by, or with the corporation, and that the corporation may still continue a corporation so far as to collect, and receive, and dispose of the estate, real and personal, and pay the debts and divide the surplus," which amendment was agreed to, and the bill, as amended, was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendment.

The engrossed bill for the compensation of certain jurors of the county of Haywood, being read the second time, Mr. Welch moved to amend the bill by adding the following proviso, to wit: "Provided nevertheless, that this law shall not take effect unless the County Court of Haywood, a majority of the acting justices being present, shall think the same advisable, at the first or any subsequent court after the passage of this act;" which amendment was agreed to, and the bill, as amended, was read the second and third times and passed, and a message sent to the House of Commons, asking their concurrence in the amendment.
The engrossed bill to authorise the justices of the peace of the county of Moore to compel the several officers therein named to hold their offices at or near the court house, being read the second time, Mr. M'Neill moved to amend the bill by adding the following proviso, viz. "Provided however, that none of the above named officers shall be compelled to remove their respective offices to the court house aforesaid, until suitable offices are built for the purpose;" which amendment was agreed to, and the bill, as amended, was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendment.

Received from the House of Commons a message, stating that they have passed the engrossed resolution in favor of William Robards; in which they ask the concurrence of the Senate. Whereupon the said resolution was read the first, second and third times and passed, and ordered to be enrolled.

The bill to appoint commissioners to view, mark and lay off a road from the neighborhood of Fort Defiance, in Wilkes county, across the Blue Ridge, to the turnpike road at or near the Three Fork meeting house, in Ashe county; and the bill to establish Spring Field Academy, in the county of Wake, and to incorporate the trustees thereof, were read the second and third times and passed, and ordered to be engrossed.

The following engrossed bills and resolutions, viz. the bill concerning the North Carolina Catawba Company; the bill to incorporate the Fayetteville Female School of Industry; the bill authorising the County Court of Stokes to regulate the compensation of court officers; the bill to amend an act, passed in the year 1820, authorising the County Court of Rutherford to hold a court of probate in said county; the bill concerning the militia of Iredell county; the bill to incorporate the Dorchia Society, in Elizabeth City; the bill to incorporate the Woodville Academy, in the county of Perquimons; the bill directing the sheriff of Macon county to pay over certain monies therein mentioned; the bill for the encouragement of light infantry, volunteer cavalry, artillery or rifle companies in the county of Hertford; the resolution in favor of Mrs. Elizabeth E. A. Haywood; and the resolution in favor of William R. Hill, were severally read the second and third times and passed, and ordered to be enrolled.

The engrossed bill to exempt from the corporate laws of the town of Halifax certain lots or tracts of land lying beyond the limits of the original charter of said town, being read the second time, Mr. Mathews moved to amend the bill by striking out the word "Mary," in the twelfth line, and inserting the word "Elizabeth;" which amendment was agreed to, and the bill, as amended, was read the second and third times and passed, and a message sent to the House of Commons, asking their concurrence in the amendment.

The engrossed bill to alter the time of holding the Superior Courts of Law and Equity for the counties of Carteret, Onslow, Lenoir and Craven, and to lengthen the term of Craven Superior Court, was read the second time and passed; and the engrossed bill to authorise the Court of Pleas and Quarter Sessions of the county of Jones to appoint commissioners for the town of Trenton, was read the second time, and, on motion of Mr. Sherard, ordered to be indefinitely postponed.
The resolutions authorising certain repairs to be made to the Government House and Capitol, were read the second time and passed. 

Received from the House of Commons the resignation of Bartholomew Remball, Colonel Commandant of the 37th regiment of North Carolina militia, endorsed in that House "read and accepted," and which was read and accepted by the Senate. 

And then the Senate adjourned until to-morrow morning, 10 o'clock. 

Friday, December 31, 1830.

A message was sent to the House of Commons stating that the Senate have passed the following engrossed bills, viz: a bill to prevent slaves from attending muster or election grounds on the day of muster or election, in the counties therein mentioned; a bill for the regulation of the patrol; a bill to amend the law of distribution of personal estates; a bill more effectually to subject the lands of a deceased debtor to the payment of his or her debts; a bill to appoint commissioners to view, mark and lay off a road from the neighbourhood of Fort Defiance, in Wilkes county, across the Blue Ridge, to the turnpike road at or near the Three Fork Meeting House, in Ashe county; a bill to establish Spring Field Academy, in the county of Wake, and to incorporate the trustees thereof; and a resolution in favor of Theodorick F. Burchitt and John Logan; in which they ask the concurrence of that House. 

Mr. Martin, from the committee on Claims, to whom was referred the petition of William T. Prestwood, made an unfavorable report thereon, recommending that the prayer of the petitioner be rejected; in which report the Senate concurred. 

Mr. Sneed, from the committee on Finance, to whom was referred the memorial of James Grant, Comptroller of the Treasury, and also the resolutions instructing the said committee to inquire into, and report whether the labors of the Comptroller and Public Treasurer have not so increased as to require that some additional assistance should be afforded to those officers, made a report thereon, accompanied by a bill, entitled a bill to enable the Public Treasurer and Comptroller to perform the duties required of them; which was read the first time and passed. 

Mr. Sneed presented the following resolution, to wit: 

Resolved, That one copy of the State documents which are now by law directed to be deposited in the State Library, be hereafter deposited in each of the offices of the Governor, Secretary of State, Public Treasurer and Comptroller. 

Which was read and adopted, and ordered to be engrossed. 

Mr. M'Entire presented the following resolution, to wit: 

Resolved, That the Public Treasurer be directed to pay to William Carson, of Rutherford county, the sum of $32 95, being the amount due him for his attendance as a witness on behalf of the State in the suit of the Governor, for the use of the State, against justices of Rutherford county; and that the Treasurer be allowed the same in the settlement of his public accounts. 

Which was read the first time and passed. 

The engrossed bill to alter the times of holding the Superior Courts of Law and Equity for the counties of Carteret, Onslow, Lenoir and Craven, and to lengthen the term of Craven Superior Court, being read the third time, Mr. Spaight moved to amend the bill by striking out in the fourth line of the second section, the words "Sundays excepted," which amendment was agreed to, and the bill, as amended, was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendment.
The bill to provide for the final settlement of executors' and administrators, being read the third time, Mr. McKay moved to amend the bill by adding the following section, viz. "Be it further enacted, that the notice required to be given to persons interested in the settlement of executors or administrators as legatees or distributees, may be served by the sheriff, and his return endorsed thereon shall be evidence of such service;" which amendment was agreed to, and the bill, as amended, was read the third time and passed, and ordered to be engrossed.

The bill for the relief of the University of North Carolina, being read the second time, Mr. Spaight moved to amend the bill by inserting after the word "years," in the seventh line, the following words: "in three instalments, one of nine thousand dollars, payable after the passage of this act, one of eight thousand dollars, payable three months thereafter, and one of eight thousand dollars, payable six months thereafter;" which amendment was agreed to. Mr. Wilson moved further to amend the bill by adding the following, as an additional proviso, viz. "And provided further, that the said trustees, upon the receipt of the said loan of twenty-five thousand dollars, shall make a conveyance to the President and Directors of the Literary Fund of all the Bank stock by them owned in the Newbern Bank, to be held as security for the payment of said sum;" which amendment was not agreed to. Mr. McKay moved further to amend the bill by adding the following, as an additional section, viz. "Be it further enacted, that the Public Treasurer shall not pay to the trustees of the University the aforesaid sum of twenty-five thousand dollars, or any part thereof, until the said trustees signify in writing by their President, under their corporate seal, their assent that the Legislature may at any subsequent session modify or alter the charter of said institution, so as to assume to the State the management of the said institution, and the possession and disposition of all its property, real and personal;" which amendment was agreed to—ayes 35, noes 26. The ayes and noes being demanded by Mr. Martin, are as follows, to wit: Those who voted in the affirmative, are Messrs. Barnes, Brasby, Blackwood, Boddie, Cowper, Crump, Dickinson, Dobson, Gudger, Guinn, Hare, Hall, Harris, Hawkins, Hinton of B. Hinton of W. Hoke, Howell, Jennings, Kerr, McKay, McEntire, McFarland, McNeill, Martin, Mathews, Melcher, Moyer, Murchison, Ray, Selby, Simmons, Walton, Welch, Williams of M.


And the bill, as amended, was read the second time and passed—ayes 40, noes 19. The ayes and noes being demanded by Mr. Skinner, are as follows, viz. Those who voted in the affirmative, are Messrs. Askew, Barnes, Blackwood, Boddie, Borden, Brower, Caldwell of L. Cowper, Crump, Davenport, Dickinson, Dobson, Gavin, Hare, Hall, Harris, Hawkins, Hinton of B. Hinton of W. Jones, Kerr, McKay, McEntire, Meares, Melcher, Miller, Montgomery, Mosely, Moyer, Murchison, Spaight, Selby, Sneed, Vanhook, Welch, Williams of F. Williams of M. Wilson. Those who voted in the negative, are Messrs. Gudger, Guinn, Hall, Hoke, Howell, Jennings, Lindsay, McFarland, McNeill, Marshall, Mathews, Perkins, Ramsey, Ray, Sherard, Simmons, Skinner, Walton, Wilder.

The engrossed bill to establish a Superior Court of Law and Equity in the county of Macon, and for other purposes, was read the second time and passed.

The bill to amend an act, passed in the year 1827, chapter 1st, entitled
an act concerning the Public Treasurer; being read the second time, Mr. M'Kay moved to amend the bill by inserting after the word "hundred," in the fifth line of the third section, the word "fifty;" which amendment was agreed to. Mr. Wilson moved further to amend the bill by striking out the whole of the third section; which was not agreed to—ayes 15, noes 38. The ayes and noes being demanded by Mr. Mathews, are as follows, to wit:


Those who voted in the negative, are Messrs. Barnes, Borden, Brower, Cowper, Davenport, Dickinson, Dobson, Gavin, Hare, Hall, Harris, Hawkins, Hinton of B. Hinton of W. Hoke, Howell, Jennings, Jones, Lindsay, M'Daniel, M'Kay, M'Entire, M'Farland, Martin, Melchor, Montgomery, Mosely, Moye, Marchibon, Perkins, Selby, Simmons, Skinner, Sneed, Vanhook, Walton, Williams of M. Wilder.

The bill, as amended, was read the second time and passed.

And the Senate then adjourned until this afternoon, half after 3 o'clock.

FRIDAY EVENING, HALF AFTER 3 O'CLOCK.

Mr. Hinton, of Beaufort, from the select committee, to whom was referred the bill to authorise a company to cut a canal and make a turnpike road from Mattamuskeet Lake to Aligator river, reported a substitute for the said bill, entitled a bill to amend and enlarge the charter of Mattamuskeet Lake Canal Company, granted to said company in the year 1828, entitled an act to incorporate a company, entitled the Mattamuskeet Lake Canal Company, and for other purposes; which was read the first time and passed.

The engrossed bill to incorporate the Mecklenburg Gold Mining Company, being read the third time, Mr. M'Kay moved to amend the bill by striking out the word "two," in the eighteenth line, and insert the word "one;" which was not agreed to. Mr. Hinton, of Wake, moved to amend the bill by striking out the whole of the fifth section; which amendment was agreed to—ayes 31, noes 27. The ayes and noes being demanded by Mr. Montgomery, are as follows, viz.

Those who voted in the affirmative, are Messrs. Barnes, Beasley, Blackwood, Borden, Caldwell of L. Davenport, Dickinson, Dobson, Gavin, Guian, Hare, Harris, Hawkins, Hinton of B. Hinton of W. Hoke, Jones, Lindsay, M'Neill, Marshall, Martin, Mathews, Meares, Melchor, Mosely, Murchison, Sherard, Simmons, Sneed, Ward, Welch.


Mr. M'Kay moved further to amend the bill by adding the following, as an additional section, viz. "Be it further enacted, that each member of said company shall be liable individually for the payment of the debts or contracts of the corporation, so far as he is interested, should it appear that the amount of capital claimed and owned by him was never paid, and formed no part of the corporate funds;" which amendment was agreed to—ayes 43, noes 13. The ayes and noes being demanded by Mr. Montgomery, are as follows, to wit:


The bill, as amended, was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendments.

The bill to amend an act, passed in the year 1799, entitled an act to amend an act, entitled an act for the better observation and keeping of the Lord's day, commonly called Sunday, and for the more effectual suppression of vice and immorality, passed in the year 1741, was read the third time and passed and ordered to be engrossed; and the engrossed bill to establish a Superior Court of Law and Court of Equity in the county of Macon, and for other purposes, was read the third time and passed, and ordered to be enrolled.

The bill for the relief of the University of North Carolina, being read the third time, Mr. Sneed moved to amend the bill by striking out the whole of the 5th section; which was not agreed to—ayes 17, noes 37. The ayes and noes being demanded by Mr. M'Farland, are as follows; viz.


Those who voted in the negative, are Messrs. Bensly, Boddie, Brower, Cooper, Crump, Dickinson, Dobson, Cramp, Guinn, Hall, Harris, Hawkins, Hinton of Bertford, Hoke, Howell, Kerr, Lindsay, M'Daniel, M'Kay, M'Farland, M'Nell, Martin, Mathews, Melchor, Moly, Ramsey, Ray, Selby, Sherard, Simmons, Vanhook, Walton, Welch, Williams of Franklin, Williams of Martin, Wilder.

Mr. Sneed moved further to amend the bill by striking out the following words from the latter clause of the fifth section, viz. "and the possession and disposition of all its property, real and personal." Mr. Lindsay moved that the bill, together with the amendment, be indefinitely postponed; which was not agreed to—ayes 8, noes 45. The ayes and noes being demanded by Mr. Sneed, are as follows; viz.

Those who voted in the affirmative, are Messrs. Howell, Lindsay, Marshall, Mathews, Ramsey, Sherard, Simmons, Wilder.


The question then recurring on the amendment proposed by Mr. Sneed, it was decided in the negative—ayes 15, noes 38. The ayes and noes being demanded by Mr. M'Kay, are as follows; viz.


And the bill was read the third time and passed, and ordered to be engrossed.

And the Senate then adjourned until to-morrow morning, 10 o'clock.

Saturday, January 1, 1851.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills and resolution, viz. A bill to provide for the final settlement of executors or administrators; a bill for
the relief of the University of North Carolina; a bill to amend an act, passed in the year 1799, entitled an act to amend an act, entitled an act for the better observation and keeping the Lord's day, commonly called Sunday, and for the more effectual suppression of vice and immorality, passed in the year 1741; and a resolution directing a copy of the State Documents to be deposited in the office of Governor, &c.; in which they ask the concurrence of that House.

Mr. Martin, from the committee on Claims, to whom was referred the memorial of David Rea, of the county of Mecklenburg, made a favorable report thereon, accompanied by the following resolution, viz.

Resolved, That the Treasurer pay to Joseph Blackwood, Senator from the county of Mecklenburg, thirty dollars, in trust for the benefit of David Rea of said county, and that he be allowed the same in the settlement of his accounts.

Which was read the first time and passed, and the said resolution being read the second time, it was resolved that the same shall not pass.

Mr. Williams, of Martin, from the committee on Propositions and Grievances, to whom was referred the petition of sundry persons of the county of Rutherford, in behalf of James Ward, made an unfavorable report thereon, recommending that the prayer of the petitioners be not allowed; in which report the Senate concurred.

Mr. Meares, from the committee on the Judiciary, to whom was referred the engrossed bill to amend an act, passed in 1829, chapter 17, entitled an act to provide for a division of negroes and other chattel property, held in common, reported the same without amendment, and recommended its passage. Whereupon the said bill was read the second time and passed.

On motion of Mr. Williams, of Martin, ordered that the committee on Propositions and Grievances be discharged from the further consideration of any other business during the present session. On motion of Mr. Meares, ordered that the committee on the Judiciary be also discharged during the present session. On motion of Mr. Martin, ordered that the committee on Claims be likewise discharged. And on motion of Mr. M'Farland, ordered that the committee on Education and Primary Schools be also discharged during the present session. On motion of Mr. Meares, ordered that a message be sent to the House of Commons, proposing that the joint select committee on so much of the Governor's message, as relates to slaves and the situation of free persons of colour, be discharged from the further consideration of business during the present session.

Mr. Hinton, of Beaufort, from the joint select committee on Internal Improvements, to whom was referred the memorial of sundry citizens of the town of Wilmington, made a report thereon; which was read, and, on motion of Mr. Meares, ordered to be laid upon the table.

Mr. Hinton, of Beaufort, from the same committee, to whom was referred the resolution instructing them to inquire into the expediency of appropriating a sum of money for removing obstructions from, and improving Great Cotentnea creek up to the town of Stantonburg, made a report thereon, accompanied by a bill, entitled a bill to aid the citizens of Greene, Edgecomb, Wayne and Lenoir to improve the navigation of Great Cotentnea creek; which was read the first time, and resolved that the same shall not pass.

Mr. M'Farland presented the following preamble and resolution, viz.
Whereas the length of the sessions of our Legislature is a growing evil, and one much to be deprecated by the State and her citizens, and should be checked by their representatives: Therefore,

Resolved by the Senate and House of Commons, That this Legislature do adjourn, sine die, on Wednesday, the 5th of January, 1831.

And the resolution having been read, Mr. Hinton, of Beaufort, moved that the resolution be laid upon the table; which was not agreed to—ayes 24, noes 36. The ayes and noes being demanded by Mr. M'Farland, are as follows, viz.


Those who voted in the negative, are Messrs. Askew, Barnes, Blackwood, Brower, Caldwell of Tredell, Cowper, Crump, Dickinson, Gudger, Hare, Hall, Harris, Hawkins, Hoke, Howell, Jones, Kerr, Lindsay, M'Kay, M'Entire, M'Farland, M'Neill, Marshall, Martin, Mathews, Moyer, Perkins, Ramsey, Ray, Sherard, Simmons, Sneed, Vanhook, Walton, Williams of Martin, Wilder.

Mr. Spaight moved to amend the resolution by striking out the whole of the preamble; which amendment was agreed to. Mr. Spaight moved further to amend the resolution by striking out the word "Wednesday," and inserting the word "Friday." Mr. Montgomery moved that the resolution, together with the amendment, be indefinitely postponed; which was not agreed to—ayes 25, noes 35. The ayes and noes being demanded by Mr. M'Farland, are as follows, to wit:


The question then recurring on the adoption of the amendment proposed by Mr. Spaight, it was decided in the negative.

Mr. M'Kay moved further to amend the resolution by striking out the whole thereof except the word "resolved," and inserting the following, viz. "that this General Assembly be adjourned, sine die, on Friday next.

Resolved further, that a joint select committee of two members from each House be appointed, with instructions to select from the files of the bills and resolutions, now before the two Houses, such as in their opinion ought to be acted upon and finally disposed of, during the present session, and to make report thereof; and that the clerks of the two Houses make up their estimates accordingly." A division of the question being called for, it was first taken on striking out. It was agreed to; and the question then recurring on the amendment proposed by Mr. M'Kay, it was determined in the negative. Mr. Williams, of Franklin, moved to amend the resolution by inserting the following, viz. "so soon as the business before them is disposed of." Mr. M'Kay moved that the resolution, together with the amendment, be laid upon the table; which was agreed to.

Mr. Ward presented the following resolution, viz.

Resolved, That a message be sent to the House of Commons, informing that House that the joint select committee, to whom the Adjutant General's Report was referred, have made such reports on that subject as they deem necessary, and ask to be discharged from the further consideration of the subject.

Which was read and adopted, and, on motion of Mr. Ward, ordered that
the committee on Military Affairs of the Senate be discharged from the further consideration of business during the present session.

The bill to limit the appointment of the Judges of Superior Courts of Law and Equity in this State, being read the second time, Mr. M'Kay moved to amend the bill by striking out the word "first," in the ninth line, and inserting the word "last;" which amendment was agreed to, and the question recurring on the passage of the bill the second time, it was decided in the negative—ayes 17, noes 44. The ayes and noes being demanded by Mr. Meares, are as follows, viz.

Those who voted in the affirmative, are Messrs. Brower, Cowper, Dobson, Guinn, Harris, Hawkins, M'Kay, M'Entire, M'Farland, M'Neill, Marshall, Montgomery, Ramsey, Ray, Skinner, Vanhook, Williams of E.


The bill to vest the right of electing the clerks of the Superior and County Courts of the several counties within this State, in the free white persons entitled to vote for members of the House of Commons, being read the second time, Mr. Dobson moved to amend the bill by striking out the whole thereof except the words "a bill," and inserting a substitute; which being read, Mr. Ward moved to amend the substitute by inserting after the word "clerks," in the first section, the following words, viz. "county trustee, county solicitor, register, surveyor, constables and entry taker." Mr. Murchison moved that the bill, together with the proposed amendments, be postponed until Monday next; and Mr. Williams, of Martin, moved that the further consideration thereof be postponed until the 4th day of March next; which was agreed to—ayes 34, noes 25. The ayes and noes being demanded by Mr. Dobson, are as follows, to wit:


And the Senate then adjourned until this evening, half after 3 o'clock.

Saturday, half after 3 o'clock.

Received from the House of Commons a message, stating that they have passed the engrossed bill to amend an act, passed in the year 1829, entitled an act to vest the right of electing sheriffs in the several counties within this State, in the free white men thereof, with an amendment, to wit: in the first section, strike out the words "in consequence of high water or any other unavoidable consequences;" in which they ask the concurrence of the Senate. Whereupon the said amendment was read and concurred in by the Senate, and the House of Commons was informed thereof by message.

Received from the House of Commons a message, stating their concurrence in the amendments made by the Senate to the engrossed bill to
corporate the White Oak Turnpike Company, in the county of Onslow, Whereupon the said bill was ordered to be enrolled.

Received also from the House of Commons a message, stating that they concur in the two first lines of the additional section of the amendment made by the Senate to the engrossed bill to incorporate the Williamston and Windsor Turnpike Company, but do not agree to the proviso. Whereupon, on motion of Mr. Williams, of Martin, the Senate receded from the said proviso, and the House of Commons was informed thereof by message; and the bill was ordered to be enrolled.

Received also from the House of Commons a message, stating that they have passed the engrossed bill to incorporate the light infantry company in the town of Newbern; and a resolution in favor of Jonathan Coward; in which they asked the concurrence of the Senate. Whereupon the said bill was read the first time and passed, and the resolution was read and adopted, and ordered to be enrolled.

A message was also received from the House of Commons, stating that they have passed the following engrossed bill and resolution, viz. a bill to incorporate a light infantry company in the town of Newbern; and a resolution in favor of Jonathan Coward; in which they asked the concurrence of the Senate. Whereupon the said bill was read the first time and passed, and the resolution was read and adopted, and ordered to be enrolled.

A message was also received from the House of Commons, stating that they have passed the engrossed bill to amend an act, passed at the last session, entitled an act for the better regulation of the town of Washington, and for other purposes, with an amendment; which was read and agreed to by the Senate, and the House of Commons was informed thereof by message.

Received also from the House of Commons a message, stating that they have passed the following engrossed resolutions, viz. resolutions in favor of Daniel Southerland and William Gardner; and resolutions against the usurped powers of the General Government; in which they asked the concurrence of the Senate. Whereupon the first mentioned resolutions were read and adopted, and ordered to be enrolled, and the last mentioned resolutions being read, on motion of Mr. Sherard, they were ordered to be laid upon the table—ayes 48, noes 10. The ayes and noes being demanded by Mr. Martin, are as follows, viz.

Those who voted in the affirmative, are Messrs. Askew, Barnes, Beasly, Blackwood, Brower, Caldwell of Iredell, Cowper, Crump, Davenport, Dick, Dickinson, Dobson, Gavin, Gudger, Guinn, Hare, Hall, Harris, Hawkins, Hinton of Beaufort, Hinton of Wake, Hoke, Howell, Jennings, Jones, Kerr, Lindsay, M'Daniel, M'Kay, M'Entire, M'Farland, M'Neil, Marshall, Martin, Mathews, Meares, Melchor, Murchison, Perkins, Ray, Selby, Sherard, Simmons, Skinner, Sneed, Walton, Welch, Williams of M.


Received from the House of Commons a message, stating that they have passed the engrossed resolution in favor of David Graybeal; in which they asked the concurrence of the Senate. Whereupon the said resolution was read the first time and passed.

The engrossed bill to exempt from execution a certain portion of the land of the citizens of North Carolina, being read the second time, Mr.
Barnes moved that the further consideration thereof be indefinitely post-
poned; which was not agreed to—ayes 23, noes 37. The ayes and
noes being demanded by Mr. Askew, are as follows, viz.

Those who voted in the affirmative, are Messrs. Barnes, Brower, Crump, Guinn, Hoke, 
Howell, Jennings, Jones, Kerr, M'Farland. Marshall, Mathews, Melcher, Mosely, Moye, 
Perkins, Selby, Sherard, Simmons, Skinner, Walton, Welch, Williams of M.

Those who voted in the negative, are Messrs. Askew, Beatty, Blackwood, Boddie, Bor-
den, Caldwell of L. Cowper, Davenport, Dick, Dickinson, Dobson, Gavin, Gudger, Hare, 
Hall, Harris, Hawkins, Hill, Hinton of B. Hinton of W. Lindsay, M'Daniel, M'Kay, 
M'Entire, M'Neil, Martin, Meares, Montgomery, Murchison, Ramsey, Ray, Spaight, 
Sneth, Vanhook, Williams of F. Wilder.

Mr. Dickinson moved to amend the bill by adding the following words, 
at the end of the last section, viz. "nor to any debt which existed pre-
vious to the purchase of the land on which the homestead may be select-
ed," which amendment was agreed to. Mr. Ward moved further to a-
 mend the bill by striking out the following words from the first section, 
viz. "if in the country, of fifty acres of land should the debtor own so 
much; if he own a less quantity, of the whole, and shall include the dwell-
ing house, necessary out houses, barn, cribs and stables; when it is situ-
ted in a town, it shall not exceed the dwelling house and lot and the houses 
necessary to the use of the dwelling house," and to insert in lieu thereof, 
the following, viz. "of the tract of land he lives on, with all the improve-
ments of every description and all the lands adjoining; when it is situated 
in a town, it shall include the lot he lives on, and all the improvements 
thereon;" and a discussion arising on the said amendment, and before the 
question was taken, on motion of Mr. Meares, the Senate adjourned 
until Monday morning, 10 o’clock.

MONDAY, JANUARY 3, 1831.

Mr. Hinton, of Beaufort, from the select committee on Internal Im-
provement, to whom was referred the resolution upon so much of the Go-
vernor’s message as relates to the expediency of abolishing the present 
Board of Internal Improvement, made a report thereon, stating that in-
asmuch as a bill on that subject has been introduced in the other branch of the 
Legislature, they deem it unnecessary to report any bill on the sub-
ject, and ask to be discharged from its further consideration; in which 
report the Senate concurred, and the committee was discharged accord-
ingly.

On motion of Mr. Hinton, of Beaufort, ordered that the committee on Internal Improvement be discharged from the further consideration of 
any business during the present session.

The engrossed bill to exempt from execution a certain portion of the 
land of the citizens of North Carolina, being taken up, and the question 
pending at the adjournment of the Senate on Saturday evening being on 
the amendment of Mr. Ward, Mr. Hawkins moved to amend the a-
memendment by adding the following, to wit: "when the tract of land 
does not exceed one hundred and fifty acres, the same be exempt from 
execution; if the tract contains above one hundred and fifty acres, one 
third be exempt, excluding improvements, and the house, lot and improve-
ments in any town, one third to be exempted, and the aforesaid lands 
and lots shall be subject to the tax;" which was not agreed to, and the 
question recurring on the amendment proposed by Mr. Ward, Mr. As-
Kew moved that the said amendment be postponed indefinitely; which was,
agreed to. Mr. Wilson moved to amend the bill by striking out the words "fourth day of July next," and inserting the words "first day of January, 1832;" which amendment was agreed to. Mr. M'Kay moved further to amend the bill by striking out the following words, in the last line of the first section, viz. "according to their station and condition in life," which was agreed to. Mr. M'Kay moved further to amend the bill by striking out the following words, in the first section: "when it is situate in a town it shall not exceed the dwelling house and lot, and the houses necessary to the use of the dwelling house." Mr. Dickinson moved further to amend the amendment by inserting the following, after the word "exceed," viz. "one third part of his real estate, nor more than one lot, nor be of greater value than five hundred dollars? which was not agreed to; the question then recuring on Mr. M'Kay's amendment, it was decided in the affirmative—a yes 42, noes 18. The ayes and noes being demanded by Ward, are as follows, viz.


Those who voted in the negative, are Messrs. Barnes, Borden, Dickinson, Hare, Hill, Hinton of B. Hinton of Wake, Hoke, Jones, M'Daniel, M'Entire, Martin, Meares, Mosby, Noye, Marchison, Spaight, Sneed.

Mr. M'Kay moved further to amend the bill by striking out the word "debtor," in the ninth line, and inserting the word "person," and in the 17th line, strike out the word "debtor," and insert the following: "person wishing to avail himself of the benefit of this act;" which amendments were agreed to. Mr. M'Kay moved further to amend the bill by adding the following, at the end of the last section, viz. "nor to any debt due to the State, or to the counties or to the corporate authorities of the town respectively." Mr. M'Kay moved further to amend the bill by striking out the words "fourth of July next," in the sixth section, and inserting the words "first of January, 1832." Which amendments were also agreed to. Mr. Dickinson moved further to amend the bill by inserting the following, after the word "shall," in the 9th line: "be situated on such part of the land as the owner may designate and may;" which amendment was also agreed to. Mr. Jones moved further to amend the bill by inserting after the word "shall," in the twenty third line, the words "with the surveyor;" which was also agreed to. Mr. Jones moved further to amend the bill in the twenty-fifth line, after the word "one," by inserting the word "compact;" which was not agreed to. Mr. Dick moved further to amend the bill by inserting after the word "period," in the seventh line of the first section, the following, viz. "and shall constitute the dower of the widow, when her third part of her husband's real estate would be a less share, and when her part exceeds that share it shall form a part thereof, and shall be held by the same terms as other dowers are now or may hereafter be held;" which amendment was agreed to. Mr. Hare moved that the bill with its several amendments be laid upon the table; which was not agreed to—ayes 24, noes 35. The ayes and noes being demanded by Mr. Hare, are as follows, viz.

Those who voted in the affirmative, are Messrs. Barnes, Borden, Brow-
Mr. Jones moved further to amend the bill by inserting after the word "aforesaid," in the twenty-fifth line, the following, to wit: "and the said surveyor shall make out a fair plat of the same, setting forth the bounds of the said homestead freehold;" which was not agreed to. Mr. M'Farland moved further to amend the bill by adding the following, at the end of the fifth section, viz. "and all costs incurred by laying off said homestead freehold shall be paid by the owner;" which was not agreed to. Mr. Ward moved further to amend the bill by adding after the word "officer," in the fifth line of the fourth section, the following words: "if required by the debtor in writing." Mr. Barnes moved that the bill with its several amendments be postponed until the third Monday of November next; which was agreed to—ayes 28, noes 28—the Speaker voting in the affirmative. The ayes and noes being demanded by Mr. Barnes, are as follows, to wit:


And then the Senate adjourned until this afternoon, 4 o'clock.

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MONDAY EVENING, 4 O' CLOCK.

The bill to secure to creditors an equal and just division of the estates of debtors who convey to assignees for the benefit of creditors, being read the third time, Mr. Dickinson moved to postpone the further consideration of the bill until the third Monday of November next; which was not agreed to. Mr. Spaight moved further to amend the bill by striking out the whole of the twelfth section. Mr. Lindsay moved that the bill and amendment be indefinitely postponed; which was not agreed to—ayes 19, noes 59. The ayes and noes being demanded by Mr. M'Kay, are as follows, to wit:


The question then recurring on the amendment proposed by Mr. Spaight, it was decided in the affirmative. Mr. Martin moved further to amend the bill by striking out the words "mortgage of," in the 15th line of the first section, and inserting the following, viz. "deeds in trust or mortgages, to secure the payment of money loaned, or property purchased, or to indemnify an endorser or security bona fide executed previous to the assignment," which amendment was agreed to, and the bill, as amended, was read the third time and passed, and ordered to be engrossed.

On motion of Mr. M'Kay, ordered that Mr. Williams, of Martin, have leave of absence from and after yesterday, for the remainder of the session.

The bill concerning the salaries of the Supreme Court Judges, was read the second time, and, on motion of Mr. Williams, of Franklin, ordered to be postponed until the 4th day of March next—ayes 34, noes 24. The ayes and noes being demanded by Mr. Sherard, are as follows, viz.


Those who voted in the negative, are Messrs. Boddie, Brower, Crump, Dobson, Gavin, Guinn, Harris, Hinton of B. Hoke, Howell, Kerr, Lindsay, M'Kay, M'Farland, M'Neill, Montgomery, Moye, Ramsey, Sherard, Simmons, Vanhook, Walton, Welch and Wilder.

The Speaker laid before the Senate a letter from Joseph B. Hinton, Esq. communicating the resignation of John Gray Blount, one of the Councillors of State elect; which was read, and, on motion of Mr. Hinton, of B. ordered that a message be sent to the House of Commons, transmitting the said resignation, and proposing that a balloting be had on to-morrow for some person to fill the vacancy. Whereupon Mr. Hinton of B. nominated for the appointment Thos. H. Blount; and, on motion of Mr. Dick, the name of Alexander Gray was added to the nomination.

The bill to amend an act, passed in 1827, chapter 1st, entitled an act concerning the Public Treasurer, being read the third time, Mr. Ward moved to amend the bill by striking out the third section; which was not agreed to—ayes 26, noes 31. The ayes and noes being demanded by Mr. Ward, are as follows, viz.


Those who voted in the negative, are Messrs. Borden, Brower, Caldwell of I. Cowper, Dickenson, Dobson, Gudger, Guinn, Hare, Hall, Harris, Hawkins, Hinton of B. Howell, M'Daniel, M'Kay, M'Entire, M'Farland, Martin, Meares, Melchor, Montgomery, Mosely, Murchison, Ramsey, Selby, Simmons, Sneed, Vanhook, Walton, Welch.

And the bill was thereupon read the third time and passed, and ordered to be engrossed.

The engrossed bill to amend an act, passed in 1829, chapter 17th, entitled an act to provide for a division of negroes and other chattel property
held in common, was read the third time and passed, and ordered to be enrolled; and the engrossed resolutions authorising repairs of the Government House and Capitol, were read the third time passed, and ordered to be engrossed.

Mr. M'Neil presented the resignation of John Blue, a justice of the peace for the county of Moore; which was read and accepted, and sent to the House of Commons.

The bill to authorise defendants in suits on bonds, &c. to go into the consideration thereof, was read the second time, and resolved that the same shall not pass—ayes 13, noes 42. The ayes and noes being demanded by Mr. M'Kay.


Mr. M'Farland moved that the injunction of secrecy, imposed during the secret session of the Senate, be now removed; but before the question was put, Mr. Wilson moved that the Senate do now adjourn; and the Senate thereupon adjourned until to-morrow morning, 10 o'clock—ayes 41, noes 15. The ayes and noes being demanded by Mr. M'Farland.


Those who voted in the negative, are Messrs. Crump, Hare, Hoke, Howell, Kerr, M'Daniel, M'Kay, M'Farland, Martin, M'Kay, M'Neil, Meares, Melchor, Murchison, Ramsey, Sneed, Selby, Sherard, Simmons, Vanhook, Walton.

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Tuesday, January 4, 1831.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills and resolutions, viz. A bill to amend an act, passed in 1827, chapter 1st, entitled an act concerning the Public Treasurer; a bill to secure to creditors an equal and just division of the estates of debtors who convey to assignees for the benefit of creditors; and resolutions authorising repairs of the Government House and Capitol; in which they ask the concurrence of that House.

On motion of Mr. M'Kay, ordered that Risden M. M'Daniel, the Senator from the county of Jones, have leave of absence from and after this day, for the remainder of the session.

Received from the House of Commons a message, proposing that the two Houses ballot immediately for Cavalry officers of the 9th brigade, and stating that Samuel F. Patterson is in nomination for Colonel Commandant; Anderson Mitchell for Lieutenant Colonel, and Wm. P. Witherspoon for Major; which proposition was agreed to, and Messrs. Hoke and Harris appointed to conduct the balloting on the part of the Senate, and the House of Commons was informed thereof by message.

Whereupon a message was received from the House of Commons, stating that Messrs. W. Horton and Fleming are appointed to conduct the balloting on the part of that House.

Received from the House of Commons a message, stating that they have
passed the following engrossed resolutions, to wit: a resolution in favor of John M'Raee; a resolution in favor of David Rogers; and a resolution on nullification and the Tariff; in which they ask the concurrence of the Senate. Whereupon the first resolution was read and adopted, and ordered to be enrolled; the second resolution was read the first time and passed, and the last mentioned resolution being read, on motion of Mr. Askew, ordered that it be laid upon the table.

Received also from the House of Commons a message, stating that they have passed the following engrossed bills, to wit: a bill for the distribution of a system of instruction for the militia Infantry, and a system of exercise and instruction of field Artillery, including manoeuvres for light or horse Artillery, among the several militia officers of this State; a bill to alter the time of holding two of the Courts of Pleas and Quarter Sessions in the county of Rutherford; and a bill concerning the County Courts of Orange county; in which they ask the concurrence of the Senate. Whereupon the two last mentioned bills were read the first, second and third times and passed, and ordered to be enrolled, and the first mentioned bill was read the first and second times and passed.

Received from the House of Commons the resignation of William Allen, Colonel Commandant, and William S. Allen, Lieutenant Colonel of the 62d regiment of the 11th brigade, endorsed in that House "read and accepted," and which were read and accepted by the Senate.

The engrossed bill for the distribution of a system of instruction for the militia Infantry, and a system of exercise and instruction of field Artillery, including manoeuvres for light or horse Artillery, among the several militia officers of this State, being read the third time, Mr. Hawkins moved to amend the bill by inserting after the word "General," in the fourteenth line, the following, viz.: "and to each Adjutant of a regiment, one copy," which amendment was not agreed to. Mr. Ward moved further to amend the bill by adding the following, as an additional section, to wit: "and the said general officers, officers of companies and regiments, on their resignation, shall hand over said copies to their successors in office, and in failing to do so shall forfeit the sum of five dollars for each copy in their possession, to be recovered by warrant before any justice of the peace, upon the complaint of the officer in command; and in case any officer shall die with one or more of the said copies in possession, it shall be the duty of his executor or administrator, on application of the officer in command of the said regiment or company, to deliver the same under the above penalty for each copy of said book, to be recovered as above," which amendment was agreed to, and the bill, as amended, was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendment.

Received from the House of Commons a message, agreeing to ballot on this day for a Councillor of State, and informing that the name of James Boyzman is added to the nomination, and stating that Messrs. Little and Weaver attend the Senate to conduct the balloting. Whereupon Messrs. Wilder and Walton were appointed to conduct the balloting on the part of the Senate, and the House of Commons was informed thereof by message.

The bill to amend and enlarge the charter of Mattamuskeet Canal Company, granted to said company in the year 1828, in and by the act, enti-
titled an act to incorporate a company, entitled the Mattamuskeet Canal Company, and for other purposes, was read the second time and passed.

The engrossed resolution in favor of David Rogers, was read the second and third times and passed, and ordered to be enrolled; and the resolution in favor of William Carson, of Rutherford county, was read the second and third times and passed, and ordered to be engrossed.

Mr. Hoke, from the committee appointed to conduct the balloting for Cavalry officers of the 9th brigade, reported that Samuel F. Patterson is duly elected Colonel Commandant; Anderson Mitchell, Lieutenant Colonel, and William P. Witherspoon, Major of Cavalry, attached to the ninth brigade of North Carolina militia; in which report the Senate concurred.

The bill to enable the Public Treasurer and Comptroller to perform the duties required of them, being read the second time, Mr. Dickinson moved to fill the blanks in the bill with the words "two hundred dollars;" which amendment was not agreed to. Mr. Williams, of Franklin, moved that the further consideration of the bill be indefinitely postponed; which was not agreed to—ayes 28, noes 28—the Speaker voting in the negative. The ayes and noes being demanded by Mr. Williams, of Franklin.


Mr. M'Kay moved further to amend the bill by striking out the whole thereof, except the enacting clause, and inserting the following, viz. "that the Comptroller shall be allowed for the year 1831 the sum of three hundred dollars, to employ a clerk in his office for that year, and thereafter the sum of $250 annually, for the same purpose;" which amendment was agreed to, and the bill, as amended, was read the second time and passed—ayes 29, noes 28. The ayes and noes being demanded by Mr. Brower.


The bill being then read the third time, Mr. Askew moved to amend the bill by adding the following, as an additional section, viz. "And be it further enacted, that the Public Treasurer shall have the further sum of two hundred and fifty dollars annually, to employ an additional clerk in the Treasury department;" which amendment was not agreed to—ayes 7, noes 50. The ayes and noes being demanded by Mr. Askew.

Those who voted in the affirmative, are Messrs. Askew, Barnes, Dickinson, Hinton of Beaufort, Spaight, Sneed, Ward.

The question then recurring on the passage of the bill the third time, it was decided in the negative—ayes 27, noes 30. The ayes and noes being demanded by Mr. Hawkins.


The engrossed bill to exempt lessors of Gold Mines in certain cases from liability as copartners of lessees; and the engrossed bill directing the manner in which jurors may be summoned in certain cases, were read the second time and passed.

The bill directing the Governor to convey certain lands to the county of Macon, was read the second time, and resolved that the same shall not pass.

Received from the House of Commons a message, stating that they have passed the engrossed bill to prevent the burning of Court Houses and other public buildings, with sundry amendments; and the proposed amendments being read, they were agreed to by the Senate, and the House of Commons was informed thereof by message.

The engrossed resolution in favor of David Graybeal, was read the second and third times and passed, and ordered to be enrolled.

Mr. Wilder, from the committee appointed to conduct the balloting for one Councillor of State, reported that no person in nomination had received a majority of the votes; in which report the Senate concurred.

The resolution fixing the time of adjournment, being taken up, on motion of Mr. Meares, and read, Mr. M'Kay moved to amend the resolution by striking out "Saturday," and inserting "Friday," and to add at the end thereof, the following words: "and that the clerks make up the estimates accordingly;" which amendments were agreed to, and the resolution, as amended, was read and adopted and ordered to be engrossed.

The bill to exempt from taxation property held by Wardens of the Poor, being read the second time, on motion of Mr. M'Kay the further consideration thereof was indefinitely postponed.

The bill to exempt from execution the articles therein mentioned, being read the second time, on motion of Mr. Mathews the further consideration thereof was indefinitely postponed—ayes 27, noes 26. The ayes and noes being demanded by Mr. Hinton, of Beaufort.


Those who voted in the negative, are Messrs. Borden, Caldwell of Iredell, Cowper, Crump, Dick, Ginder, Gulin, Hare, Hall, Harris, Hinton of Beaufort, Hohe, Kerr, M'Kay, M'Entire, M'Farland, M'Neil, Montgomery, Murchison, Ramsey, Ray, Selby, Vanhook, Ward, Welch, Williams of Franklin.

And the Senate then adjourned until this evening, half after 3 o'clock.

TUESDAY EVENING, HALF AFTER 3 O'CLOCK.

Received from the House of Commons a message, stating that they have postponed indefinitely the engrossed bill to compel retailers of spirituous liquors by the small measure in the counties therein mentioned to take
an oath and give bond, &c. before receiving license, not to sell spirituous liquors, powder, shot, lead or fire arms to a slave; and the engrossed bill to amend an act, passed in 1799, entitled an act to amend an act for the better observation and keeping of the Lord’s day commonly called Sunday, and for the more effectual suppression of vice and immorality.

Received from the House of Commons the resignation of David Edwards, a justice of the peace for the county of Guilford, endorsed in that House “read and accepted;” and which was read and accepted by the Senate.

Received also from the House of Commons a message, stating that they have passed the engrossed bill to repeal part of the second section of an act, passed in the year 1806, chapter 708, entitled an act to revise the militia laws of this State; and also the engrossed bill to amend an act, passed at the last session, entitled an act to incorporate the Lake Drummond and Orapake Canal Company, with sundry amendments; in which they ask the concurrence of the Senate. Whereupon the said amendments were read and agreed to by the Senate, and the House of Commons was informed thereof by message.

A message was also received from the House of Commons, stating that they do not concur in the amendments made by the Senate to the engrossed bill for the better regulation of the town of Waynesborough, in the county of Wayne. Whereupon, on motion of Mr. Sherard, ordered that the bill, together with the amendment, be laid upon the table.

Mr. Meares presented a resolution directing the Public Tressurer to pay to each of the Doorkeepers the sum of $25, their usual extra allowance for furnishing hands to bring wood and water to the State House, during the present session; which was read, and, on motion of Mr. Williams, of Franklin, ordered to be laid upon the table.

Received from the House of Commons a message, stating that they have passed the following engrossed bills, viz. A bill to prohibit free persons of colour from peddling and hawking out of the limits of the county in which they respectively reside; a bill concerning the officers of the 62d regiment of the 11th brigade of the militia of this State; a bill to appoint a Superintendent of Public Works, and to repeal in part an act, passed in the year 1819, entitled an act to create a fund for Internal Improvement, and to establish a board for the management thereof; a bill to amend the 20th section of an act, passed in the year 1777, entitled an act for establishing Courts of Law, and regulating the proceedings therein; in which they ask the concurrence of the Senate. Whereupon the said bills were severally read the first time and passed.

Received also from the House of Commons a message, stating that they have passed the following engrossed resolutions, viz. A resolution instructing the Superintendent of Public Works; a resolution in favor of Thomas K. Morrissey, of Sampson county; and a resolution relating to the claim of the State against the United States; in which they ask the concurrence of the Senate. Whereupon the first mentioned resolution was read, and, on motion of Mr. M’Kay, ordered to be laid upon the table; the second resolution was read the first time and passed; and the last mentioned resolution was read and adopted, and ordered to be enrolled.

The engrossed bill concerning the officers of the 62d regiment of the 11th brigade of the militia of the State, being read the second time, Mr:
M'Kay moved that the said bill be indefinitely postponed; which was not agreed to. Mr. Ward moved that the bill be laid upon the table until to-morrow; which was not agreed to, and the bill was thereupon read the second and third times and passed, and ordered to be enrolled.

Received from the House of Commons a message, stating their concurrence in the amendments made by the Senate to the following engrossed bills, to wit: A bill for the compensation of certain jurors of the county of Haywood; a bill concerning the payment of jurors in the county of Martin; and a bill for improving the navigation of New W... in the counties of Chatham and Orange. Whereupon the said bill was ordered to be enrolled.

The bill to amend an act, passed in 1828, entitled the law with respect to the collection of debts from persons, and the law in relation to the levying or issuing by justices of the peace, being read the third time, Mr. M'Kay moved to amend the bill by striking out the whole of the first and inserting therefor a substitute; which was read and agreed to. Kay moved further to amend the bill by inserting the following preamendments, viz. "Provided, however, that the rep... of the aforementioned sections shall not affect any proceedings now pending before justices of the peace or Courts of Record; but that the same may be proceeded on as though said sections were still in force;" which amendment was also agreed to, and the bill, as amended, was read the third time and passed, and ordered to be enrolled.

The bill to amend and enlarge the charter of the Mattamuskeet Canal Company, granted to said company in the year 1828, in and by an act, entitled an act to incorporate a company, entitled the Mattamuskeet Canal Company, and for other purposes, being read the third time, Mr. M'Kay moved to amend the bill by adding the following as an additional section, viz. "Be it further enacted, that the General Assembly may, at any time hereafter, repeal, or modify, or alter this act; provided, however, that said repeal or alteration shall not affect vested rights;" which amendment was agreed to, and the bill, as amended, was read the third time and passed, and ordered to be enrolled.

Received from the House of Commons a message, proposing to ballot again immediately for a Councillor of State; which proposition was agreed to, and Messrs. Skinner and Brower were appointed to conduct the balloting, and a message sent to the House of Commons, informing them thereof, and stating that the name of Thomas H. Blount is withdrawn from the nomination. Whereupon a message was received from the House of Commons, stating that Messrs. Chesson and Barnhardt attend the Senate to conduct the balloting on their part.

The engrossed bill directing the manner in which jurors may be summoned in certain cases; and the engrossed bill to exempt lessors of gold mines in certain cases from liability as copartners of lessees, were read the third time and passed, and ordered to be enrolled.

The bill to allow the lien created by the levy of a justice's execution on lands, was read the 2d time, and resolved that the same shall not pass.

The bill to amend an act, entitled an act to authorise the County Courts in this State to direct the sheriff to sell any slave that may be taken up
and confined in any jail as a runaway, after certain length of imprisonment and public notice, being read the second time, Mr. M'Kay moved to amend the bill by adding the following proviso at the end thereof, to wit: "Provided that the jailor shew to the court that he has complied with the law requiring advertisement of runaways;" which amendment was agreed to, and the bill, as amended, was read the second time and passed.

Mr. Skinner, from the committee appointed to conduct the balloting for a Councillor of State, reported that James Bozman, having received a majority of the votes, is duly elected; in which report the Senate concurred.

The engrossed bill to amend an act, passed in the year 1828, entitled an act to amend an act, passed in the year 1800, entitled an act concerning wrecks; and the bill to amend an act, passed in the year 1821, entitled an act providing further punishment for harboring or maintaining runaway slaves, were read the second and third times and passed.

The engrossed bill to authorise the appointment of commissioners to take the acknowledgment and proof of deeds and instruments under seal and depositions, being read the second time, Mr. M'Kay moved to amend the bill by inserting in the 8th line, after the word "Columbia," the words "or any of the Territories;" which amendment was agreed to, and the bill, as amended, was read the second time and passed.

The bill to prohibit the meeting of slaves in the night, and to restrain their meeting in the day to three discreet white persons, and for other purposes, was read the second time, and, on motion of Mr. Martin, the further consideration thereof was indefinitely postponed—ayes 38, noes 16.

The ayes and noes being demanded by Mr. Dick.


Those who voted in the negative, are Messrs. Beasley, Borden, Davenport, Dickinson, Hall, Hinton of W. Lindsay, M'Kay, Mathews, Meares, Mosely, Murchison, Spaight, Selby, Ward, Wilson.

And the Senate then adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, JANUARY 5, 1831.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, viz. A bill to amend an act, passed in 1828, entitled an act to amend the law with respect to the collection of debts from the estates of deceased persons, and the law in relation to the levying of executions issued by justices of the peace; and a bill to amend and enlarge the charter of the Mattamuskeet Canal Company, granted to said company in the year 1828, in and by the act, entitled an act to incorporate a company, entitled the Mattamuskeet Canal Company; and for other purposes; in which they ask the concurrence of that House.

On motion of Mr. Martin, ordered that a message be sent to the House of Commons, proposing that the joint select committee on so much of the Governor's message as relates to the establishment of a bank, be discharged from the further consideration of the subject.

Received from the House of Commons a message, proposing that a balloting take place immediately for a Brigadier General of the third brigade,
and stating that James Dunn and Daniel M. Dulany are in nomination for the appointment; which proposition was agreed to, and Messrs. Barnes and Ray appointed to conduct the balloting on the part of the Senate, and the House of Commons was informed thereof by message. Whereupon a message was received from the House of Commons, stating that Messrs. Simmons and Winston attend the Senate to conduct the balloting on their part.

Received also from the House of Commons a message, proposing to ballot immediately for Major General of the 6th division; and stating that Nathan B. Whitfield is in nomination for the appointment; which proposition was agreed to, and Messrs. Gudger and Moye were appointed to conduct the balloting on the part of the Senate, and the House of Commons was informed thereof by message. Whereupon a message was received from the House of Commons, stating that Messrs. Cox and Barringer are appointed to conduct the balloting on their part.

On motion of Mr. Blackwood, ordered that David Rea have leave to withdraw from the files of the Senate his petition and accompanying papers, presented at the present session.

The engrossed bill to incorporate a light infantry company in the town of Newbern; and the engrossed resolution in favor of Thomas K. Morrissey, of Sampson county, were read the second and third times and passed, and ordered to be enrolled.

The resolution authorising the Treasurer to use any part of the Literary Fund, was taken up, on motion of Mr. M'Farland, read the first time and passed.

The bill to amend the militia laws of this State, and to repeal an act, passed in the year 1828, chapter 11th, entitled an act to reduce the number of petty musters to two in a year, was read the second time, and, on motion of Mr. Sherard, ordered to be postponed indefinitely.

The bill to raise a fund for the removal of free persons of colour from this State to Liberia, being read the second time, Mr. Dickinson moved to amend the bill by adding the following at the end thereof, viz. "that should this act be hereafter repealed, or the object abandoned, all the monies then remaining unexpended of the aforesaid fund, shall belong to the county or counties which contributed the same." Mr. Williams, of Franklin, moved that the further consideration of the bill and amendment be indefinitely postponed; which was agreed to—ayes 35, noes 24. The ayes and noes being demanded by Mr. Williams, of Franklin.


Those who voted in the negative, are Messrs. Beasley, Borden, Davenport, Dick, Dickinson, Gudger, Guinn, Hall, Hinton of W. Jennings, Jones, Lindsay, M'Kay, Mearns, Mosely, Murchison, Perkins, Spaight, Selby, Sherard, Skinner, Snead, Ward, Welch.

Mr. Gudger, from the committee appointed to conduct the balloting for Major General of the 6th division, reported that Nathan B. Whitfield, having received a majority of the whole number of votes, is duly elected; in which report the Senate concurred.

Mr. Barnes, from the committee appointed to conduct the balloting for
Brigadier General of the 3rd brigade, reported that James Dunn, having received a majority of the whole number of votes, is duly elected; in which report the Senate concurred.

A motion was made by Mr. Martin to reconsider the vote taken on the indefinite postponement of the bill to prohibit the meeting of slaves in the night, and to restrain their meeting in the day to the presence of three discreet white persons, and for other purposes; and on the question, will the Senate reconsider the said vote? it was decided in the affirmative.

The bill more effectually to prevent intermarriage between free negroes and free persons of colour, and white persons and slaves, and for other purposes, being read the second time, Mr. Guinn moved to amend the bill by striking out the word “imprisoned,” in the seventh line of the second section; which amendment was not agreed to, and the bill was read the second time and passed.

The bill better to preserve order amongst the slaves, by more effectually providing against their hiring their own time, and to prevent them going at large, was read the second time and passed.

The bill regulating the making and maintaining partition fences in certain cases, being read the second time, Mr. M’Kay moved to amend the bill by inserting after the word “persons,” in the fourth line, the words “in the county of Bladen;” which amendment was agreed to, and the bill, as amended, was read the second time and passed.

The bill to repeal the 5th section of an act, passed in the year 1827, chapter 19th, entitled an act giving the Superior Court of Law exclusive jurisdiction in all cases of divorce, was read the second time, and, on motion of Mr. M’Kay, ordered to be indefinitely postponed.

The engrossed bill to prohibit free persons of colour from peddling and hawking out of the limits of the county in which they respectively reside, being read the second time, Mr. Dobson moved to amend the bill by adding the following, at the end of the first section, viz. “unless he or she has a license to do so, granted by the County Court of the county where he or she resides; which license shall be granted only when seven or more justice are present, and upon satisfactory evidence of the good character of the applicant, and for issuing such license the clerk shall be entitled to eighty cents;” which amendment was agreed to, and the bill, as amended, was read the second time and passed.

On motion of Mr. Meares, ordered that the twelfth rule of the rules for the government of the Senate, be suspended for the remainder of the session.

The bill to extend the jurisdiction of the Supreme Court, was read the second time and passed; and the bill amendatory of the laws concerning roads, was read the second time, and, on motion of Mr. Williams, of Franklin, ordered to be indefinitely postponed.

The bill to provide for the securing and collecting of debts, in certain cases therein mentioned, was read the second time, and, on motion of Mr. Meares, ordered to be postponed indefinitely.

The bill to authorise Judges to grant writs of ne exeat in certain cases therein mentioned, was taken up, on motion of Mr. M’Kay, read the second time and passed.

And the Senate then adjourned until this evening, half after 3 o’clock.
The bill to prohibit the meeting of slaves in the night, and to restrain their meeting in the day to the presence of three discreet white persons, and for other purposes, being read the second time, Mr. Meares moved to amend the bill by striking out the whole thereof, except the words "a bill," and insert in lieu thereof a substitute; which was read and agreed to, and the bill, as amended, was read the second time and passed.

Received from the House of Commons a message, stating that they have passed the following engrossed bill and resolutions, viz. a bill amendatory of the laws relative to pilotage at Ocracock Inlet; and resolutions for the publication of certain documents; in which they ask the concurrence of the Senate. Whereupon the said bill was read the first time and passed, and the resolutions were read and adopted, and ordered to be enrolled.

Received also from the House of Commons a message, stating that they have passed the following engrossed resolutions, viz. A resolution concerning James N. Forsythe; a resolution authorising the Public Treasurer to draw upon any of the public funds in certain cases; and a resolution instructing the Superintendent of Public Works; in which they ask the concurrence of the Senate. Whereupon the two first mentioned resolutions were read the first time and passed, and the last mentioned resolution was, on motion of Mr. Meares, ordered to be laid upon the table.

Received from the House of Commons a message, stating their concurrence in the amendments made by the Senate to the engrossed bills, viz. A bill for the distribution of a system of instruction for the militia infantry, and a system of exercise and instruction of field artillery; horse artillery, &c. among the militia officers of this State; a bill to authorise the justices of the peace of the county of Moore to compel the several officers therein named to hold their offices at or near the court house; a bill to alter the times of holding the Superior Courts of Law and Equity for the counties of Carteret, Onslow, Lenoir and Craven, and to lengthen the time of holding the Superior Court of Craven county; a bill to exempt from the corporate laws of the town of Halifax certain lots or tracts of land, lying beyond the limits of the original charter of said town. Whereupon the said bills were ordered to be enrolled.

Received also from the House of Commons a message, stating that they have passed the engrossed bill concerning the town of Oxford, with an amendment; in which they ask the concurrence of the Senate. Whereupon the said amendment was read and agreed to, and the House of Commons was informed thereof by message.

Received also from the House of Commons a message, stating that they have passed the following engrossed bill, viz. A bill to amend an act, entitled an act to establish and regulate a Turnpike road in the county of Haywood, to be called the Tennessee River Turnpike road, passed A. D. 1826, chapter 36; in which they ask the concurrence of the Senate. Whereupon the said bill was read the first, second and third times and passed, and ordered to be enrolled.

Received also from the House of Commons a message, stating that they have postponed indefinitely the following engrossed bills and resolutions, viz. A bill more effectually to subject the lands of a deceased debtor to
the payment of his or her debts; a bill to secure to creditors an equal and just division of the estates of debtors who convey to assignees for the benefit of creditors; and a resolution in favor of Theodoric F. Burchett and John Logan.

A message was also received from the House of Commons, accompanied by a communication from the Governor, transmitting sundry resolutions adopted by the Legislature of Alabama, approbatory of the course pursued by the present Chief Magistrate of the United States, and recommending him to the other States for re-election; which were read, and, on motion of Mr. ordered to be laid upon the table.

The engrossed bill to authorise the appointment of commissioners to take the acknowledgment and proof of deeds and instruments under seal and depositions; and the engrossed bill to prohibit free persons of colour from peddling and hawking out of the limits of the county in which they respectively reside, were read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendments.

Received from the House of Commons a message, proposing to ballot immediately for Brigadier General of the 12th brigade, and stating that Nicholas Washington is in nomination for the appointment; which proposition was agreed to, and Messrs. Welch and Davenport were appointed to conduct the balloting on the part of the Senate, and the House of Commons was informed thereof by message. Whereupon a message was received from the House of Commons, stating that Messrs. Williams and Smith attend the Senate to conduct the balloting on their part.

The following bills, viz. the bill to amend an act, passed in 1821, entitled an act providing further punishment for harboring or maintaining runaway slaves; the bill to extend the jurisdiction of the Supreme Court; and the bill more effectually to prevent intermarriages between free negroes and free persons of colour, and white persons and slaves, and for other purposes, were read the third time and passed, and ordered to be engrossed; and the engrossed bill to amend an act, passed in the year 1828, entitled an act to amend an act, passed in the year 1800, entitled an act concerning wrecks, was read the third time and passed, and ordered to be enrolled.

The bill to amend an act, entitled an act to authorise the County Courts in this State, to direct the sheriff to sell any slave that may be taken up and confined in any jail as a runaway, after certain length of imprisonment and public notice, was read the third time, amended on motion of Mr. Howell, and passed and ordered to be engrossed.

The bill for the promotion of the Literary Fund, being read the second time, was, on motion of Mr. Meares, ordered to be indefinitely postponed.

The resolution authorising the Public Treasurer to use the Literary Fund, if necessary, was read the second time, and, on motion of Mr. Skinner, ordered to be indefinitely postponed.

The bill to authorise Judges to grant writs of ne exeat, in certain cases therein mentioned, was read the third time, amended on motion of Mr. Martin, and passed and ordered to be engrossed.

Mr. Davenport, from the committee appointed to conduct the balloting for Brigadier General of the 12th brigade, reported that Nicholas Wash-
ington, having received a majority of the whole number of votes, is duly elected; in which report the Senate concurred.

The engrossed resolution authorising the Public Treasurer to draw upon any of the public funds in certain cases, was read the second time and passed.

The engrossed bill to appoint a Superintendent of Public Works, and to repeal in part an act, passed in the year 1819, entitled an act to create a fund for Internal Improvement, and to establish a board for the management thereof, was read the second time, and, on motion of Mr. Dickinson, ordered to be postponed indefinitely.

The engrossed bill to amend the 20th section of an act, passed in the year 1777, entitled an act for establishing Courts of Law, and regulating the proceedings therein, was read the second time, and, on motion of Mr. M'Kay, ordered to be postponed indefinitely.

On motion of Mr. Williams, of Franklin, ordered that Jacob Hare, the Senator from the county of Hertford; and, on motion of Mr. Meares, ordered that Collin W. Barnes, the Senator from the county of Northampton, have leave of absence from and after to-morrow, for the remainder of the session.

Received from the House of Commons, the resignation of S. Miller, Brigadier General of the third brigade of North Carolina militia, endorsed in that House "read and accepted;" and which was read and accepted by the Senate.

The bill to authorise the Governor to strike from the list field officers for neglect of duty, and to compel the Adjutant General to enforce the law against general officers, who resign their commissions before complying with the law now in force, compelling them to equip themselves or review before they resign, was read the second and third times and ordered to be engrossed.

The bill for revising and digesting the public statute laws of this State, was read the second and third time, and amended on motion of Mr. M'Kay, passed and ordered to be engrossed.

The engrossed bill amendatory of the laws relative to pilotage at Ocracoke inlet, was read the second time, and, on motion of Mr. Brower, ordered to be indefinitely postponed.

The engrossed resolution authorising the Public Treasurer to draw upon any of the public funds in certain cases, being read the second time, Mr. M'Farland moved to amend the resolution by striking out the preamble, which was not agreed to, and the resolution was read the third time and passed, and ordered to be enrolled.

The bill to prohibit the meeting of slaves in the night, and to restrain their meeting in the day time, in the counties therein mentioned, being read the third time, Mr. Meares moved to amend the bill by adding the following as an additional section, viz. "Be it further enacted, that hereafter it shall not be lawful for any free negro or person of colour, in any of said counties, to preach, exhort, or lecture in the presence of any slave;" which amendment was agreed to. Mr. Mosely moved further to amend the bill by striking out the word "Lenoir," and Mr. Borden moved to amend the bill by inserting the word "Carteret," which amendments were agreed to, and the bill, as amended, was read the third time and passed, and ordered to be engrossed.
Received from the House of Commons a message, stating that they have passed the following engrossed bill, viz. A bill to explain and amend the act of 1822, relative to insolvent debtors; in which they ask the concurrence of the Senate. Whereupon the said bill being read the first time, it was resolved that the same shall not pass.

Received also from the House of Commons a message, stating that they have passed the engrossed bill to establish Springfield Academy, in the county of Wake, and to incorporate the trustees thereof, with an amendment, to wit: In the first section, after the name of "Ransom Hinton," add the names of "Johnston Busbee," and "William Fort;" which amendment was agreed to, and the House of Commons was informed thereof by message.

On motion of Mr. Sherard, ordered that he have leave to withdraw from the files of the Senate, the petition of sundry citizens of the counties of Wayne, Edgecomb, Nash and Johnston, praying the erection of a new county, presented at the session of 1829, and at the present session.

On motion of Mr. Borden, ordered that Doctor James Manney have leave to withdraw from the files of the Senate, his memorial and accompanying papers, presented at the present session, in relation to a Dredging Machine.

On motion of Mr. Wilson, ordered that Isabella Staton have leave to withdraw from the files of the Senate, her memorial and accompanying papers, presented at the present session.

On motion of Mr. Gudger, ordered that he have leave to withdraw from the files of the Senate, the petition of sundry citizens of the counties of Buncombe and Burke, praying the erection of a new county, presented at the present session.

And the Senate then adjourned until to morrow morning, 10 o'clock.

THURSDAY, January 6, 1831.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills and resolution, viz. A bill for revising and digesting the public statute laws of this State; a bill to amend an act passed in 1821, entitled an act providing further punishment for harboring or maintaining runaway slaves; a bill to authorise the Governor to strike from the list field officers for the neglect of duty, and to compel the Adjutant General to enforce the law against general officers who resign their commissions before complying with the law now in force, compelling them to equip themselves or review before they resign; a bill to authorise Judges to grant writs of ne exeat in certain cases therein mentioned; a bill to prevent the meeting of slaves in the night, and to restrain their meeting in the day time in the counties therein mentioned; a bill to amend an act, entitled an act to authorise the County Courts in this State to direct the sheriff to sell any slave that may be taken up and confined in any jail as a runaway after certain length of imprisonment and public notice; a bill more effectually to prevent intermarriages between free negroes and free persons of colour, and white persons and slaves, and for other purposes; a bill to extend the jurisdiction of the Supreme Court; and a resolution in favor of William Carson, of Rutherford county; in which they ask the concurrence of that House.

On motion of Mr. Boddie, ordered that Wm. Roane have leave to with
draw from the files of the Senate his memorial and accompanying papers, presented at the present session.

Mr. Hinton, of Beaufort, presented the following resolutions, to wit:

Resolved by the Senate and House of Commons of the State of North Carolina. That this Legislature entirely concur with, and hereby give a hearty response to the sentiments expressed in the preamble of the communication made to this General Assembly by the Legislature of the State of Alabama; that the confidence which the citizens of the State of North Carolina reposed in the wisdom and patriotism of Andrew Jackson, induced them to yield him their almost undivided support for the Presidency of the United States; and that his administration has been such as to justify their high expectations of that course of policy which will most advance the interest and redound to the glory of our common country.

Resolved further, That it is believed by this General Assembly that they would perform an acceptable service to their constituents, by recommending him to the people of the United States for re-election at the expiration of his present term of office.

Resolved further, That the Governor of this State transmit one copy of these resolutions to President Jackson, and one copy to each of our Senators and Representatives in Congress, and a copy to the Governors of the several States, to be by them laid before the Legislatures of the respective States.

And the resolutions having been read, Mr. Martin moved that the further consideration thereof be postponed until the third Monday of November next; which was not agreed to—ayes 19, noes 38. The ayes and noes being demanded by Mr. Williams, of Franklin.

Those who voted in the affirmative, are Messrs. Borden, Brower, Caldwell of Iredell, Crump, Davenport, Dick, Dickinson, Gavin, Gudger, Jones, M'Kay, Martin, Meares, Melehour, Murchison, Ray, Selby, Simmons, Wilder.


On motion of Mr. M'Kay, ordered that the said resolutions be committed to a select committee, with instructions to report thereon as soon as convenient. Ordered that the said committee consist of Messrs. Hinton, of B. M'Kay, Spaight, Meares and Martin.

The bill the better to preserve order amongst the slaves by more effectually providing against their hiring their own time, and to prevent their going at large, being read the third time. Mr. M'Kay moved to amend the bill by striking out the whole thereof except the enacting clause, and inserting a substitute therefor; which was read and agreed to, and the bill, as amended, was read the third time and passed, and ordered to be engrossed.

Received from the House of Commons a message, stating their concurrence in the amendments made by the Senate to the engrossed bill to authorize the appointment of commissioners to take the acknowledgment and proof of deeds and instruments under seal and depositions. Whereupon the said bill was ordered to be enrolled.

Received from the House of Commons a message, stating that they have passed the engrossed resolution, instructing the State Librarian; in which they ask the concurrence of the Senate. Whereupon the resolution being read Mr. M'Farland moved to amend it by adding the following, viz. "Resolved further, that he discontinue the subscription for the North American Review;" which amendment was agreed to, and the resolution, as amended, was read and adopted, and a message sent to the House of Commons, asking their concurrence in the amendment.

Received also from the House of Commons a message, stating their concurrence in the amendment made by the Senate to the engrossed bill to prohibit free persons of colour from peddling and hawking out of the limits of the counties in which they respectively reside, with an amendment, viz.
After the word "granted," in the said amendment, insert the word "annually;" which amendment was agreed to by the Senate, and the House of Commons informed thereof by message.

Received also from the House of Commons a message, stating that they have postponed indefinitely the following engrossed bills and resolution, viz.: A bill to provide for the final settlement of executors and administrators; a bill to amend an act, passed in 1827, chapter 1st, entitled an act concerning the Public Treasurer; a bill to amend an act, passed in 1828, entitled an act to amend the law with respect to the collection of debts from the estates of deceased persons, and the law in relation to the levying of executions issued by justices of the peace; a bill to re-enact a part of the first section of an act, passed in the year 1787, chapter 11th, entitled an act for hiring out persons convicted on indictment or presentment, not being able or willing to pay the fees of office and jailors' fees; and a resolution in favor of the agent of the State for the Club Foot and Harlow Creek Canal.

The engrossed resolution concerning James N. Forsythe, being taken up, on motion of Mr. Sneed, and read the second time, Mr. Sneed moved to amend the resolution by striking out the whole thereof except the preamble, and inserting a substitute; which was read and agreed to, and the resolution, as amended, was read the second time and passed; and being read the third time, Mr. Dickinson moved to amend the resolution by striking out the whole thereof except the preamble, and inserting a substitute; which was read and agreed to, and the resolution, as amended, was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the amendment.

On motion of Mr. Sherard, ordered that Pinkney Caldwell, the Senator from the county of Iredell; on motion of Mr. Mathews, ordered that Marshall Dickinson, the Senator from the county of Pitt; on motion of Mr. Montgomery, ordered that Wm. W. Cowper, the Senator from the county of Gates; on motion of Mr. Wilson, ordered that Wyatt Mote, the Senator from the county of Greene; on motion of Mr. Mosely, ordered that Louis D Wilson, the Senator from the county of Edgecomb; and, on motion of Mr. Sneed, ordered that William Welch, the Senator from the county of Haywood, severally have leave of absence from and after to-morrow for the remainder of the session.

On motion of Mr. Askew, ordered that William P. Williams, the Senator from the county of Franklin; and, on motion of Mr. Dobson, ordered that William B. Meares, the Senator from the county of New-Hanover, have leave of absence from and after this day for the remainder of the session.

The bill regulating the making and maintaining partition fences in certain cases in the county of Bladen, was read the third time and passed, and ordered to be engrossed.

Mr. Hinton, of Beaufort, from the select committee to whom was referred the resolutions approbatory of the course of policy pursued by Andrew Jackson, in the administration of the General Government, made a report thereon, recommending the adoption of the following, as a substitute for the original resolutions, viz.

Resolved by the General Assembly of the State of North Carolina, That the confidence which the citizens of this State reposed in the wisdom and patriotism of Andrew Jackson, and which induced them to yield him their almost undivided support at the last Presidential elec.
tion, remains unimpaired, and has been increased by the general course of policy which he has pursued in the administration of the Government.

Resolved further, That the Governor of this State transmit one copy of these resolutions to President Jackson, one copy to each of our Senators and Representatives in Congress, and the Governors of the several States.

Mr. Spaight moved to amend the report by inserting the following resolution at the end of the first resolution, viz.:

Resolved further, That this General Assembly do therefore recommend Andrew Jackson to the people of the United States for re-election.

And the question being taken on agreeing to the said amendment, it was decided in the negative—ayes 23, noes 32. The ayes and noes being demanded by Mr. Spaight.


Those who voted in the negative, were Messrs. Blackwood, Borden, Brower, Caldwell of I. Crump, Davenport, Dick, Dickinson, Dobson, Gavin, Gudger, Hall, Hinton of W. Howell, Jones, Lindsay, M'Kay, M'Farland, M'Neil, Marshall, Martin, Mathews, Meares, Melchor, Mayo, Marchison, Ray, Selby, Simmons, Suiced, Walton, Wilder.

The question then recurring on concurring in the report of the committee it was decided in the affirmative. Mr. Wilson moved that the report and resolutions be laid upon the table; which was not agreed to. The question then recurring on the adoption of the substitute, as reported by the committee, it was unanimously decided in the affirmative—ayes 57, noes 00. The ayes and noes being demanded by Mr. Meares.


Whereupon the resolutions were ordered to be engrossed.

And the Senate then adjourned until this evening, half after 3 o'clock.

THURSDAY EVENING, HALF PAST 3 O'CLOCK.

The resolution in favor of the Doorkeepers, being taken up, on motion of Mr. Mathews, and read, Mr. Mathews moved to amend the resolution by striking out the word "principal," and to insert the word "each," so as to make the provisions of the resolution extend to each of the Doorkeepers; which amendment was agreed to, and the resolution, as amended, was read and adopted and ordered to be engrossed.

Mr. M'Kay presented a bill to amend an act, passed in the year 1818, entitled an act to regulate the inspection of staves, and for other purposes; which was read the first, second and third times and passed, and ordered to be engrossed.

On motion of Mr. Skinner, ordered that William Walton, the Senator from the county of Chowan; and, on motion of Mr. Marchison, ordered that Clement Marshall, the Senator from the county of Anson, have leave of absence from and after to-morrow for the remainder of the session.

Mr. M'Kay presented the following preamble and resolutions, to wit:

Whereas the General Assembly may, at some future session, deem it expedient to establish a Bank to be owned either wholly or in part by the State; and whereas accurate information on the following points, may be useful in aiding the deliberations of the General Assembly on the aforesaid subject; therefore,

Resolved, That his Excellency the Governor be, and he is hereby requested to ascertain by correspondence with northern capitalists, or others the terms on which the State can borrow any sum of money between a million and five hundred thousand dollars, to be repaid at the pleasure...
of the State, or at any period between 25 and 50 years from the date of the negotiation of the loan.

Resolved further, That his Excellency be also requested to inquire, through a written correspondence with the Executive of the several States in which Banks have been established on behalf of the public, the past and present condition and future prospects of said institutions; whether the same have been profitable or otherwise, or have afforded a sound local currency and circulating medium, and generally to procure such other information in relation to the establishment of a Bank exclusively on the funds of the State, as will have a tendency to enlighten the public mind on said subject.

Mr. Montgomery moved to amend the resolutions by adding the following as an additional one, to wit:

Resolved further, That the Governor be requested to ascertain from the Banks of this State the annual amount of their profit and loss account.

And the question being taken on the said amendment, it was decided in the negative. The question then recurring on the adoption of the resolutions presented by Mr. M'Kay, it was decided in the affirmative; and the resolutions were ordered to be engrossed.

On motion of Mr Caldwell, of Iredell, ordered that Caleb Perkins, the Senator from the county of Camden; on motion of Mr. Wilson, ordered that John Crump, the Senator from the county of Montgomery; on motion of Mr. Marshall, ordered that Lemuel Jennings, the Senator from the county of Pasquotank; and, on the motion of Mr. Dick, ordered that Edmund Jones, the Senator from the county of Wilkes, have leave of absence from and after to morrow for the remainder of the session.

Received from the House of Commons a message, stating that they have passed the engrossed resolutions approbatory of the President of the United States; in which they ask the concurrence of the Senate. Whereupon the resolutions were read, and, on motion of Mr. Martin, ordered to be laid upon the table—ayes 32, noes 25. The ayes and noes being demanded by Mr. Spaight.

Those who voted in the affirmative, are Messrs. Benley, Boddie, Borden, Brower, Caldwell of L. Crump, Davenport, Dick, Dickinson, Dobson, Gavin, Gudger, Hinton of W. Hoke, Howell, Jones, Lindsay, M'Kay, M'Farland, M'Neil, Marshall, Martin, Mathews, Mearns, Melchor, Moye, Muchison, Ray, Selby, Simmons, Sneed, Wilder.


Received from the House of Commons a message, stating that they have passed the engrossed bill fixing the fees of the clerks of the County and Superior Courts and sheriffs' fees, with sundry amendments; in which they ask the concurrence of the Senate. Whereupon the said amendments were severally read and agreed to by the Senate, and the House of Commons was informed thereof by message.

Mr. Wilson moved that the Senate do now proceed to consider the engrossed resolutions against the usurped powers of the General Government; and the question being taken thereon, it was decided in the negative—ayes 16, noes 55. The ayes and noes being demanded by Mr. Wilson.


Those who voted in the negative, are Messrs. Beasley, Boddie, Borden, Brower, Caldwell of Iredell, Crump, Davenport, Dick, Dobson, Gavin, Gudger, Hall, Hinton of Beaufort, Hinton of Wake, Hoke, Howell, Jennings, Jones, Lindsay, M'Kay, M'Entire, M'Farland, Marshall, Martin, Mathews, Mearns, Melchor, Moye, Muchison, Perkins, Ray, Selby, Simmons, Sneed, Walton, Welch.

Mr. Wilson presented a resolution instructing the committee on Public Buildings to inquire into the expediency of covering the Capitol, Govern-
ment House and Secretary of State's Office with tin, copper, lead or zinc.
Mr. Meares moved to amend the resolution by instructing the committee also to inquire into the expediency of constructing in the Public Square a cistern, and to provide a Fire Engine and buckets, with the necessary hose, for the use of the Public Buildings; which amendment was agreed to; and the resolution, as amended, was read and adopted.

Received from the House of Commons a message, proposing that the two Houses adjourn on Saturday, the 8th instant, sine die, and that the clerks make up the estimates to that day inclusive; which proposition was agreed to, and a message sent to the House of Commons, informing them thereof.

The bill to authorise and direct the Public Treasurer to make sale of certain lands owned by the State, was read the second and third times, amended on motion of Mr. Sneed, and passed and ordered to be engrossed.

Received from the House of Commons a message, stating that they have passed the following engrossed bills with sundry amendments, to wit: The bill to prevent slaves from attending muster or election grounds, on the days of muster or election, in the counties therein mentioned; the bill to prevent the gaming of slaves, and to prevent free persons from gaming with them, or suffering them to game in their houses; the bill for the regulation of the patrol; and the bill to amend an act, passed in the year 1826, entitled an act to prohibit the trading with slaves except in the manner therein prescribed.

The resolution directing the Comptroller to balance the accounts of William Robards, late Public Treasurer, on the books of his office, was taken up, on motion of Mr. Sneed, read and adopted, and ordered to be engrossed.

Mr. Sneed, from the committee of Finance, who was directed by a resolution of both branches of the Legislature to cause a list of the bonds in the Treasurer's office to be made out, reported that they had employed Ichabod Wetmore to perform that service, and which had been done accordingly. Mr. Sneed also presented a resolution, directing the Public Treasurer to pay Ichabod Wetmore the sum of dollars for said service; which was read the first time and passed, and being read the second time, Mr. Hinton, of Beaufort, moved to fill the blank with the word "forty;" which was not agreed to. Mr. M'Farland moved to fill the blank with the words "twenty-five;" which was not agreed to. Mr. M'Kay moved to fill the blank with the word "twenty;" which was agreed to, and the resolution was read the second and third times and passed, and ordered to be engrossed.

And the Senate then adjourned until to-morrow morning, 10 o'clock.

Friday, January 7, 1831.

A message was sent to the House of Commons, stating that they have passed the following engrossed bills and resolutions, to wit: A bill to authorise and direct the Public Treasurer to make sale of certain lands owned by the State; a bill to amend an act, passed in the year 1818, entitled an act to regulate the inspection of slaves, and for other purposes; resolutions approbatory of the administration of Andrew Jackson; resolutions requesting the Governor to procure certain information; resolutions
in favor of Ichabod Wetmore; resolution directing the Comptroller to balance the accounts of William Robards, late Public Treasurer; and a resolution in favor of the Doorkeepers; in which they ask the concurrence of that House.

Mr. Hinton, of Wake, from the committee on the Public Buildings, to whom was referred the resolutions instructing them to inquire into the expediency of covering the Public Buildings so as to make them fire proof; and also into the expediency of constructing a cistern, and providing the necessary fire buckets, hose, &c. for the protection of the Public Buildings, made a report thereon, accompanied by a bill, entitled a bill to preserve the Public Buildings in the city of Raleigh; which was read the first time and passed, and being read the second time, Mr. Skinner moved to amend the bill by striking out the second section; which was agreed to, and the bill, as amended, was read the second time and passed; and being read the third time, Mr. Boddie moved to amend the bill by adding an additional section in lieu of the second section; which amendment was agreed to. Mr. M'Farland moved further to amend the bill by adding the following as an additional section, to wit: "Be it further enacted, that said commissioners shall cause to be advertised, in one of the public prints in the town of Fayetteville, and the State Gazette, for the space of four weeks, that they will let out the repairs to be made to the Governor's House, the State House and Secretary's Office, on some given day to the lowest bidder, he giving bond with good security that the work shall be completed and faithfully executed?" which amendment was agreed to, and, on motion of Mr. M'Kay, ordered that the bill be laid upon the table.

Received from the House of Commons a message, stating that they have passed the engrossed resolution in favor of John B. Muse and Richard Roberts; in which they ask the concurrence of the Senate. Whereupon the resolution being read, the Speaker laid before the Senate a communication from John B. Muse, declining to accept the pecuniary compensation proposed by the said resolution for his exertions in extinguishing the fire which occurred on the roof of the Capitol on yesterday. Mr. M'Farland moved to amend the resolution by striking out the word "fifty," and inserting the words "twenty-five;" and a division of the question being called for; it was first taken on striking out; which was agreed to. Mr. Dobson moved to fill the blank with the words "twenty five;" which was agreed to. Mr. Hinton, of Beaufort, moved to amend the resolution by adding the following, to wit: "Resolved further, that the sum of fifty dollars be distributed by the Public Treasurer to such of the slaves as shall satisfy him that they were active and efficient in extinguishing the fire aforesaid. Mr. M'Kay moved to amend the resolution by striking out the word "fifty," and inserting the words "twenty-five;" which amendment was not agreed to, and the resolution, as amended, was read and adopted, and a message sent to the House of Commons, asking their concurrence in the amendments.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill the better to preserve order amongst the slaves by more effectually providing against their hiring their own time, and to prevent them going at large; in which they ask the concurrence of that House.

The bill to preserve the Public Buildings in the city of Raleigh, being...
taken up on motion of Mr. M'Kay, and read the third time, Mr. M'Kay moved to amend the bill by inserting after the word "copper," in the first section, the words "or other approved composition;" which amendment was agreed to. Mr. M'Kay moved further to amend the bill by adding the following proviso at the end of the first section, to wit: "Provided the same can be done for two thousand dollars; and if the proposed work cannot be executed for that sum, then the said commissioners shall ascertain the probable cost thereof, and make report to the General Assembly at its next session;" which amendment was also agreed to, and the bill, as amended, was read the third time and passed, and ordered to be engrossed.

Received from the House of Commons a message, stating that they have passed the engrossed bill giving to the Superior Courts of the county of Moore original and exclusive jurisdiction in all cases where the intervention of a jury may be necessary, with sundry amendments; in which they ask the concurrence of the Senate. Whereupon the said amendments were read and concurred in by the Senate, and the House of Commons was informed thereof by message.

Received also from the House of Commons a message, proposing to ballot immediately for a Board of Internal Improvements, and stating that Louis D. Henry, Joseph Dozier and Cadwallader Jones are in nomination for the appointment; which proposition was not agreed to, and the House of Commons was informed thereof by message.

Received also from the House of Commons a message, stating that they have postponed indefinitely the following engrossed bills, to wit: A bill for revising and digesting the public statute laws of this State; and a bill to amend an act, providing further punishment for harboring or maintaining runaway slaves.

Mr. Askew, from the select committee, to whom was referred the memorial of sundry citizens of the county of Burke, in relation to the establishment of a Medical Board, reported that from the vast importance of the subject, and the little time which the committee have had to bestow on its consideration, ask leave to be discharged from its further consideration; in which report the Senate concurred, and the committee were discharged accordingly.

Received from the House of Commons a message, stating that they have passed the engrossed resolutions approbatory of the administration of Andrew Jackson, with an amendment, to wit: "Resolved further, that the re-election of Andrew Jackson is an object greatly to be desired, and highly necessary to preserve the harmony and promote the interests of this Union;" which amendment was not agreed to—ayes 20, noes 24. The ayes and noes being demanded by Mr. Lindsay.


Those who voted in the negative, are Messrs. Beasley, Blackwood, Borden, Brower, Davenport, Dick, Dickinson, Dobson, Gavin, Gudger, Howell, M'Kay, M'Farland, M'Neill, Martin, Meares, Melchor, Mote, Murchison, Ray, Selby, Simmons, Sneed, Wilder.

Ordered that a message be sent to the House of Commons, informing them thereof.

Received from the House of Commons a message, stating that they have passed the engrossed bill more effectually to subject the lands of a deceas-
ed debtor to the payment of his or her debts, with an amendment; in which they ask the concurrence of the Senate. Whereupon the amendment was read and concurred in by the Senate, and the House of Commons was informed thereof by message.

And the Senate then adjourned until this evening, half after two o'clock.

**Friday Evening, half after 2 o'clock.**

Received from the House of Commons a message, stating that they do not concur in the amendment made by the Senate to the engrossed resolution for the State Librarian. Whereupon, on motion of Mr. Sneed, the Senate receded from the said amendment, and the House of Commons was informed thereof by message.

Received also from the House of Commons a message, stating that they have passed the following engrossed bills, with sundry amendments, to wit: The bill more effectually to prevent intermarriages between free negroes or free persons of colour, and white persons and slaves, and for other purposes; the bill to limit the time within which parties interested shall claim equities of redemption in personal property hereafter mortgaged; the bill to authorise the Governor to strike from the list field officers for the neglect of duty, and to compel the Adjutant General to enforce the law against general officers who resign their commissions before complying with the law now in force compelling them to equip themselves or review before they resign; the bill to prevent the circulation of seditious publications, and for other purposes; in which they ask the concurrence of the Senate. Whereupon the several amendments were read and concurred in by the Senate, and the House of Commons was informed thereof by message.

Received also from the House of Commons a message, stating that they do not concur in the amendment made by the Senate to the engrossed resolution concerning James N. Forsythe. Whereupon, on motion of Mr. Dickinson, ordered that a message be sent to the House of Commons, stating that the Senate insist on the said amendment.

Received also from the House of Commons a message, stating that they have passed the engrossed resolution in favor of Richard Roberts; in which they ask the concurrence of the Senate. Whereupon the resolution was read and adopted and ordered to be enrolled.

A message was also received from the House of Commons, stating that they have rejected the engrossed bill regulating the making and maintaining partition fences in the county of Bladen.

Mr. Dick moved that the rule of the Senate, requiring motions for reconsideration of bills or resolutions to be made on the same or succeeding day, be dispensed with; which was agreed to. Whereupon Mr. Dick moved to reconsider the vote taken on the rejection of the engrossed bill to explain and amend the act of 1822, relative to insolvent debtors; and on the question, will the Senate reconsider the said vote? it was decided in the affirmative; and the bill was thereupon read the first time and passed, and being read the second time, Mr. M'Kay moved to amend the bill by adding the following as an additional section, to wit: "Be it further enacted, that should the creditor, at whose instance the debtor was arrested, think that a full and fair disclosure is not made by said debtor in writing, it shall and may be lawful for the creditor to have an issue made up under the direction of the court, and tried in the same manner as in cases
Where there is a suggestion of fraud or concealment of property, money or effects; and in the event of the jury finding against the debtor, his imprisonment shall be continued as is provided by the act to which this is an amendment." Mr. Borden moved that the bill and amendment be postponed indefinitely; which was not agreed to. Mr. Sneed moved to amend the amendment by striking out all thereof after the word "debtor," in the eleventh line, and inserting the following, to wit: "the defendant shall be committed to jail, and shall never be entitled to the benefit of this act, or of that of which this is amendatory;" which amendment was not agreed to. The question then recurring on the adoption of the amendment proposed by Mr. M'Kay, it was agreed to; and the bill, as amended, was read the second time and passed, and being read the third time, Mr. Ward moved to amend the bill by adding the following: "Be it further enacted, that this act shall not be so construed as to have any bearing on debtors heretofore committed to jail;" which amendment was not agreed to. Mr. Sneed moved to amend the bill in the same manner as proposed by him on the second reading; which was not agreed to, and the bill was read the third time and passed—ayes 28, noes 14. The ayes and noes being demanded by Mr. Borden.


Those who voted in the negative, are Messrs. Blackwood, Boddie Borden, Dick, Hawkins, Hinton of W. Hoke, Lindsay, Mathews, Mosely, Murchison, Sneed, Ward, Wilder.

And a message was sent to the House of Commons, asking their concurrence in the amendment.

Mr. Sneed, from the committee on Finance, made a report, stating that during the discharge of their duties, their attention had been drawn to the circumstance of certain checks which had been drawn on the State Bank by John S. Haywood for John Haywood, Public Treasurer, in the year 1837, and which the committee conceived required some investigation, and therefore reported a resolution instructing the Public Treasurer on that subject; which was read and adopted and ordered to be engrossed.

Received from the House of Commons a message, stating that they have postponed indefinitely the following engrossed bills, to wit: A bill to prevent the meeting of slaves in the night, and to restrain their meetings in the day time in the counties therein mentioned; and a bill to authorise judges to grant writs of ne exequt in certain cases therein mentioned.

A message was also received from the House of Commons, stating that they have passed the engrossed bill to amend an act, passed in 1826, entitled an act to prevent free persons of colour from migrating into this State, for the good government of such persons resident in the State, and for other purposes; with an amendment, in which they ask the concurrence of the Senate. Whereupon the said amendment was read and concurred in by the Senate, and a message sent to the House of Commons, informing them thereof.

Received also from the House of Commons a message, stating their concurrence in the amendment made by the Senate to the engrossed resolutions in favor of John B. Muse and Richard Roberts. Whereupon the said resolutions were ordered to be enrolled.

A message was also received from the House of Commons, stating that
they insist on their disagreement to the amendment made by the Senate to the engrossed resolution concerning James N. Forsythe, and ask a conference. Whereupon, on motion of Mr. Matthews, ordered that the message and resolution be laid upon the table.

Received from the House of Commons a message, stating that they have passed the engrossed bill fixing the fees of inspectors of ton or steam mill timber for the port of Wilmington, with an amendment, in which they ask the concurrence of the Senate. Whereupon the amendment was read and agreed to by the Senate, and the House of Commons was informed thereof by message.

Received also from the House of Commons a message, stating their concurrence in the amendment made by the Senate to the engrossed bill to explain and amend the act of 1822, relative to insolvent debtors. Ordered that the said bill be enrolled.

Received also from the House of Commons a message, stating that they insist on their amendment to the engrossed resolutions approbatory of the administration of Andrew Jackson. Whereupon, on motion of Mr. M'Kay, ordered that the resolutions be laid upon the table—ayes 20, noes 16. The ayes and noes being demanded by Mr. M'Kay.

Those who voted in the affirmative, are Messrs. Beasty, Blackwood, Borden, Brower, Davenport, Dick, Dickinson, Dobson, Gavin, Godger, Howell, M'Kay, Martin, Mathews, Melchor, Jurechison, Ray, Selby, Simmons, Wilder.

Those who voted in the negative, are Messrs. Guinn, Hall, Hawkins, Histon of B. Histon of W. Hoke, Kerr, Lindsay, M'Endre, M'Farland, Miller, Montgomery, Mosely, Spaight, Skinner, Ward.

A message was also received from the House of Commons, stating that they have passed the engrossed bill to preserve the public buildings in the city of Raleigh, with an amendment, to wit: at the end of the second section insert the following: "Be it further resolved, that each fire-place in the State House be furnished with a fender, and part of the floor adjacent to each be covered with sheet-iron." Mr. M'Kay moved to amend the amendment by striking out the word "resolved," and inserting the word "enacted;" which amendment was agreed to, and the amendment, as amended, was concurred in, and the House of Commons informed thereof by message.

Received also from the House of Commons a message, proposing that when the two Houses adjourn, they adjourn to meet to-morrow morning at 6 o'clock; which proposition was agreed to, and a message sent to the House of Commons informing them thereof.

Mr. Spaight presented the following protest, which was read:

The undersigned, claiming their constitutional right, do, in the face of Heaven and their country, solemnly protest against the rejection, by the Senate, of an amendment proposed by one of the undersigned, to the report of a select committee of the Senate, upon certain resolutions introduced into that body, approving of the conduct of President Jackson, and recommending his re-election, which amendment was in the following words, viz. "Resolved further, that this General Assembly do therefore recommend Andrew Jackson to the people of the United States for re-election." The undersigned knowing, not only from their intercourse with the people, but by their vote at the last presidential election, that Andrew Jackson was, and is now the choice of a vast majority of the citizens of the State of North Carolina, had no hesitation in recommending the man of her choice to her sister States, and the people of the United States, for re-election. By so doing, North Carolina would not only be acting as many of the States have done, but would openly and boldly take her station among her sister States, and establish her claim to that political importance to which, as a large State, she is justly entitled. Not timidly avoiding responsibility, seem to hold herself up to the highest bidder, or appear meekly waiting to discover the strongest party, and then to chime in. Against such a course the undersigned do most solemnly protest as being contrary to the character of their fellow-citizens, and casting a dishonorable stigma upon them.
The present time affords a crisis in the affairs of these United States, which, by bad policy, may produce the destruction of this Union. One party in these States are for such a construction of the Constitution of the United States, as to give unlimited powers to the Federal Government, and approve of a profuse expenditure of the people's money for objects not contemplated by the Constitution; while another party are totally opposed to such a construction of that instrument, wishing to confine the operations of the Federal Government to the powers expressly delegated, and those necessary and proper to carry them into execution, and wish an economical expenditure of the public money. One party wishing to foster their industry at the expense of that of others, protecting Northern manufactures at the expense of Southern agriculture; while another party desire that every man be left to pursue such employment as he pleases, and employ his industry as he thinks best, without interfering with others, and that no more money be drawn from the pockets of the people than is necessary for the just and proper expenditures of government. Thus producing an excitement which has already showed a spark, that unless stilled, by compromise and concession, must burst into a flame, to consume the bonds of this Union.

The undersigned, knowing that Andrew Jackson possesses the confidence of the people, and is a patriot, who, in the hour of peril, sought the post of danger, and exposed his life for his country, while some of her citizens, if not actually engaged with her enemy, rejoiced at her defeats, and seemed even to enjoy her calamities, believe his patriotism would induce him to seek to mitigate party strife, appease contending passions, and conciliate conflicting interests; while his popularity would make that task easier to him than to any other man.

The undersigned believe that Andrew Jackson is, at this moment, the only man, who, from his known patriotism and popularity, can restore the Constitution to its true limits, and remove unnecessary burdens from the people. As men loving their country, they do therefore protest against the rejection of the amendment proposed. As citizens of the Southern States, the undersigned do most solemnly protest against that vote of the Senate, as alien to Southern feelings and Southern interest; and as citizens of North Carolina, do they enter their protest against it, as being contrary to the feelings and wishes of the people of the State.

SIGNED

RICHARD D. SPAIGHT,
GEORGE O. ASKERV,
W. MONTGOMERY,
EDWARD WARD,
HENRY SKINNER,
JAS. KERR,
J. H. HAWKINS.

January 8th, 1831.

Mr. Hinton, of Beaufort, presented the following protest, which was read:

The undersigned, claiming his constitutional right, does, in the face of his country, solemnly protest against the vote of the Senate which rejected the resolution recommending Andrew Jackson to the people of the United States for re-election at the close of his present term of office; because Andrew Jackson was the choice of a vast majority of the people of this State at the two last presidential elections; and his general policy has been such, in the administration of the Government, as to have won the approbation of his opponents and rendered him doubly dear to the people of North Carolina. Moreover now, that other candidates are said to be in the field, the friends of President Jackson are expected to speak out and say whether they do or do not wish his re-election. The people of this State and those of other States, in the opinion of the undersigned, expect that this General Assembly will not shrink from proclaiming to the nation the undoubted wishes of the State of North Carolina. Besides this, the vote of the two Houses have shown most clearly that more than three fourths of the members of this General Assembly are decidedly in favor of the passage of the resolution aforesaid; yet a small majority in the Senate have defeated the wishes and reasonable hopes of the majority of the Legislature. A bare expression of general approbation and confidence in President Jackson, however just, proper and desirable in itself, is not saying enough. While the Legislatures of other States are proclaiming their candidates, we should not be silent, but fearlessly say that Andrew Jackson is ours. Loving our country, and believing that Andrew Jackson is the favorite candidate of the State, and, indeed, of the Southern States; and believing that his known patriotism and popularity will enable him to mitigate party strife, appease contending passions, and conciliate conflicting interests, better than any other man in the United States, the undersigned does, therefore, solemnly protest against the rejection of the said resolution, as alien to Southern feelings and interests, and as contrary to the feelings and wishes of the people of this State.

Jos. H. HINTON.

January 8, 1831.

And the Senate adjourned until to-morrow morning 6 o'clock.

Saturday morning, 6 o'clock, January 8, 1831.

Received from the House of Commons a message, stating that they have
passed the engrossed bill to amend the several laws now in force in this State regulating quarantine, with an amendment, in which they ask the concurrence of the Senate. Whereupon the amendment was read and concurred in by the Senate, and the House of Commons was informed thereof by message.

✓ A message was also received from the House of Commons, stating that they have re-considered the engrossed bill to amend an act, passed in 1821, entitled an act providing further punishment for harbouring or maintaining runaway slaves, and have passed the same, with an amendment, in which they ask the concurrence of the Senate. Whereupon the amendment was read and concurred in by the Senate, and the House of Commons was informed thereof by message.

✓ A message was also received from the House of Commons, stating that they have postponed indefinitely the engrossed bill the better to preserve order amongst slaves by more effectually providing against their hiring their own time, and to prevent them going at large.

Mr. Dick presented the following resolution, to wit:

Resolved, That Charles Fisher have leave to withdraw from the archives of the Senate the original papers and documents relating to the declaration of Independence, whenever the same shall have been printed as ordered by the General Assembly.

Which was read and adopted.

Received from the House of Commons a message, stating their concurrence in the amendment made by the Senate to the amendment of the House of Commons to the engrossed bill to preserve the public buildings in the city of Raleigh.

On motion of Mr. Hinton, of Beaufort, ordered that sundry citizens of the county of Beaufort have leave to withdraw from the files of the Senate their petition, presented at the present session, in relation to the exemption of certain persons to serve as jurors in said county.

On motion of Mr. M'Kay, ordered that a message be sent to the House of Commons, stating that the Senate having acted on all the business before them, are now ready to adjourn without day. Whereupon a message was received from the House of Commons, stating that they are also ready to adjourn without day.

On motion of Mr. Mathews,

Resolved unanimously, That the thanks of this House are due to the honorable David F. Caldwell, for the able, dignified and impartial manner in which he has discharged the duties of the chair during the present session.

The speaker, thereupon, made his acknowledgments to the Senate, and adjourned the same sine die.

D. F. CALDWELL, S. S.

By order,

SAML. F. PATTERSON,
Glerk of the Senate.